

ESHB 2878 - S COMM AMD
By Committee on Transportation

ADOPTED AS AMENDED 02/27/2008

1 Strike everything after the enacting clause and insert the
2 following:

3 "2007-09 BIENNIUM

4 GENERAL GOVERNMENT AGENCIES--OPERATING

5 Sec. 101. 2007 c 518 s 101 (uncodified) is amended to read as
6 follows:

7 FOR THE UTILITIES AND TRANSPORTATION COMMISSION

8 Grade Crossing Protective Account--State

9 Appropriation ((~~\$505,000~~))
10 \$504,000

11 Sec. 102. 2007 c 518 s 102 (uncodified) is amended to read as
12 follows:

13 FOR THE OFFICE OF FINANCIAL MANAGEMENT

14 Motor Vehicle Account--State Appropriation ((~~\$3,054,000~~))
15 \$3,177,000

16 Puget Sound Ferry Operations Account--State

17 Appropriation \$100,000

18 TOTAL APPROPRIATION ((~~\$3,154,000~~))
19 \$3,277,000

20 The appropriations in this section are subject to the following
21 conditions and limitations:

22 (1) \$2,545,000 of the motor vehicle account--state appropriation is
23 provided solely for the office of regulatory assistance integrated
24 permitting project.

25 (2) \$75,000 of the motor vehicle account state appropriation is
26 provided solely to address transportation budget and reporting
27 requirements.

1 \$340,000

2 The appropriation in this section is subject to the following
3 conditions and limitations: The entire appropriation is provided
4 solely for (~~staffing costs to be dedicated to state~~) transportation
5 activities. Staff hired to support transportation activities must have
6 practical experience with complex construction projects.

7 **TRANSPORTATION AGENCIES--OPERATING**

8 **Sec. 201.** 2007 c 518 s 201 (uncodified) is amended to read as
9 follows:

10 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

11 Highway Safety Account--State Appropriation	((\$2,609,000))
	<u>\$2,605,000</u>
13 Highway Safety Account--Federal Appropriation	((\$15,880,000))
	<u>\$15,849,000</u>
15 School Zone Safety Account--State Appropriation	((\$3,300,000))
	<u>\$3,376,000</u>
17 TOTAL APPROPRIATION	((\$21,789,000))
	<u>\$21,830,000</u>

19 The appropriations in this section are subject to the following
20 conditions and limitations: \$76,000 of the school zone safety
21 account--state appropriation is provided solely for contracting with
22 the office of the superintendent of public instruction (OSPI) to
23 conduct pilot programs in three school districts for road safety
24 education and training for children, in order to teach children safe
25 walking, bicycling, and transit use behavior. The pilot projects shall
26 be conducted during the 2008-09 academic year, and shall be modeled
27 after a program and curriculum successfully implemented in the Spokane
28 school district. Funds are provided for curriculum resources, bicycle
29 purchases, teacher training, other essential services and equipment,
30 and OSPI administrative expenses which may include contracting out
31 pilot program administration. The participating school districts shall
32 be located as follows: One in Grant county, one in Island county, and
33 one in Kitsap county. The OSPI shall evaluate the pilot programs, and
34 report to the transportation committees of the legislature no later
35 than December 1, 2009, on the outcomes of the pilot programs. The

1 report shall include a survey identifying barriers to, interest in, and
2 the likelihood of students traveling by biking, walking, or transit
3 both prior to and following completion of the pilot program.

4 **Sec. 202.** 2007 c 518 s 202 (uncodified) is amended to read as
5 follows:

6 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

7 Rural Arterial Trust Account--State Appropriation	((\$907,000))
	<u>\$901,000</u>
9 Motor Vehicle Account--State Appropriation	((\$2,075,000))
	<u>\$2,060,000</u>
11 County Arterial Preservation Account--State	
12 Appropriation	((\$1,399,000))
	<u>\$1,389,000</u>
14 TOTAL APPROPRIATION	((\$4,381,000))
	<u>\$4,350,000</u>

16 The appropriations in this section are subject to the following
17 conditions and limitations: \$481,000 of the county arterial
18 preservation account--state appropriation is provided solely for
19 continued development and implementation of a maintenance management
20 system to manage county transportation assets.

21 **Sec. 203.** 2007 c 518 s 203 (uncodified) is amended to read as
22 follows:

23 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

24 Urban Arterial Trust Account--State Appropriation	((\$1,793,000))
	<u>\$1,780,000</u>
26 Transportation Improvement Account--State	
27 Appropriation	((\$1,795,000))
	<u>\$1,781,000</u>
29 TOTAL APPROPRIATION	((\$3,588,000))
	<u>\$3,561,000</u>

31 **Sec. 204.** 2007 c 518 s 204 (uncodified) is amended to read as
32 follows:

33 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

34 Pilotage Account--State Appropriation	((\$1,156,000))
	<u>\$1,153,000</u>

1 (vi) The department's development of a long-range capital plan;
2 (b) Reviewing the following Washington state ferry programs:
3 (i) Ridership demand forecast;
4 (ii) Updated life cycle cost model, as directed by Engrossed
5 Substitute House Bill No. 2358;
6 (iii) Administrative operating costs, nonlabor and nonfuel
7 operating costs, Eagle Harbor maintenance facility program and
8 maintenance costs, administrative and systemwide capital costs, and
9 vessel preservation costs; and
10 (iv) The Washington state ferries' proposed capital cost allocation
11 plan methodology, as described in Engrossed Substitute House Bill No.
12 2358;
13 (c) Making recommendations regarding:
14 (i) The most efficient timing and sizing of future vessel
15 acquisitions beyond those currently authorized by the legislature.
16 Vessel acquisition recommendations must be based on the ridership
17 projections, level of service standards, and operational and pricing
18 strategies reviewed by the committee and must include the impact of
19 those recommendations on the timing and size of terminal capital
20 investments and the state ferries' long range operating and capital
21 finance plans; and
22 (ii) Capital financing strategies for consideration in the 2009
23 legislative session. This work must include confirming the
24 department's estimate of future capital requirements based on a long
25 range capital plan and must include the department's development of a
26 plan for codevelopment and public private partnership opportunities at
27 public ferry terminals; and
28 (d) Evaluate the capital cost allocation plan methodology developed
29 by the department to implement Engrossed Substitute House Bill No.
30 2358.
31 (2) \$250,000 of the motor vehicle account--state appropriation and
32 \$250,000 of the multimodal transportation account--state appropriation
33 are for the continuing implementation of (~~Substitute Senate Bill No.~~
34 ~~5207~~) chapter 514, Laws of 2007.
35 (3) \$300,000 of the multimodal transportation account--state
36 appropriation is for implementing Substitute House Bill No. 1694
37 (coordinated transportation). If Substitute House Bill No. 1694 is not

1 enacted by June 30, 2007, the amount provided in this subsection shall
2 lapse.

3 (4) \$100,000 of the state patrol highway account--state
4 appropriation is for a study of the most cost-effective means of
5 ensuring that the pension concerns of the members of the Washington
6 state patrol retirement system are adequately and appropriately
7 considered and submitted to the legislature. The committee shall
8 solicit participation and guidance from the senate ways and means
9 committee, the house of representatives appropriations committee, the
10 department of retirement systems, the office of financial management,
11 the Washington state patrol troopers association, the Washington state
12 patrol lieutenants association, the Washington state patrol, and the
13 office of the state actuary, and report the study recommendations to
14 the legislature by November 1, 2008.

15 **Sec. 206.** 2007 c 518 s 206 (uncodified) is amended to read as
16 follows:

17 **FOR THE TRANSPORTATION COMMISSION**

18	Motor Vehicle Account--State Appropriation	((\$2,276,000))
19		<u>\$2,469,000</u>
20	Multimodal Transportation Account--State Appropriation . . .	\$112,000
21	TOTAL APPROPRIATION	((\$2,388,000))
22		<u>\$2,581,000</u>

23 The appropriations in this section are subject to the following
24 conditions and limitations:

25 (1) \$350,000 of the motor vehicle account--state appropriation is
26 provided solely for the commission to conduct a survey of ferry
27 customers as described in Engrossed Substitute House Bill No. 2358.
28 Development and interpretation of the survey must be done with
29 participation of the joint transportation committee work group
30 established in section 205(1) of this act.

31 (2) (~~(\$100,000)~~) \$300,000 of the motor vehicle account--state
32 appropriation is provided solely for a study to identify and evaluate
33 long-term financing alternatives for the Washington state ferry system.
34 The study shall incorporate the findings of the initial survey
35 described in subsection (1) of this section, and shall consider the
36 potential for state, regional, or local financing options. The

1 commission shall submit a draft final report of its findings and
2 recommendations to the transportation committees of the legislature no
3 later than December 2008.

4 (3) The commission shall conduct a planning grade tolling study
5 that is based on the recommended policies in the commission's
6 comprehensive tolling study submitted September 20, 2006.

7 (4) Pursuant to RCW 43.135.055, during the 2007-09 fiscal biennium,
8 the transportation commission shall establish, periodically review,
9 and, if necessary, modify a schedule of toll charges applicable to the
10 state route 167 high-occupancy toll lane pilot project, as required by
11 RCW 47.56.403.

12 **Sec. 207.** 2007 c 518 s 207 (uncodified) is amended to read as
13 follows:

14 **FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

15 Motor Vehicle Account--State Appropriation ((~~\$695,000~~))
16 \$692,000

17 The appropriation in this section is subject to the following
18 conditions and limitations:

19 (1) The freight mobility strategic investment board shall, on a
20 quarterly basis, provide status reports to the office of financial
21 management and the transportation committees of the legislature on the
22 delivery of projects funded by this act.

23 (2) The freight mobility strategic investment board and the
24 department of transportation shall collaborate to submit a report to
25 the office of financial management and the transportation committees of
26 the legislature by September 1, 2008, listing proposed freight highway
27 and rail projects. The report must describe the analysis used for
28 selecting such projects, as required by chapter 47.06A RCW for the
29 board and as required by this act for the department. When developing
30 its list of proposed freight highway and rail projects, the freight
31 mobility strategic investment board shall use the priorities identified
32 in section 309(7)(a) of this act to the greatest extent possible.

33 **Sec. 208.** 2007 c 518 s 208 (uncodified) is amended to read as
34 follows:

35 **FOR THE WASHINGTON STATE PATROL--FIELD OPERATIONS BUREAU**

36 State Patrol Highway Account--State

1 (5) During the fiscal year 2008, the Washington state patrol shall
2 continue to perform traffic accident investigations on Thurston, Mason,
3 and Lewis county roads, and shall work with the counties to transition
4 the traffic accident investigations on county roads to the counties by
5 July 1, 2008.

6 (6) \$100,000 of the state patrol highway account--state
7 appropriation is provided solely for the implementation of Substitute
8 House Bill No. 1417 (health benefits for surviving dependents). If
9 Substitute House Bill No. 1417 is not enacted by June 30, 2007, the
10 amount provided in this subsection shall lapse.

11 (7) \$3,300,000 of the state patrol highway account--state
12 appropriation is provided solely for the salaries and benefits
13 associated with accretion in the number of troopers employed above
14 1,158 authorized commissioned troopers, or solely for training new
15 cadets; however, the amount provided in this subsection is contingent
16 on the Washington state patrol submitting a 2009-11 budget request that
17 fully funds field force operations without reliance on a projected
18 vacancy rate.

19 (8) By July 1, 2008, the Washington state patrol shall assign six
20 additional troopers to the Monroe detachment from among troopers
21 requesting transfer to Monroe or graduating cadet classes.

22 **Sec. 209.** 2007 c 518 s 209 (uncodified) is amended to read as
23 follows:

24 **FOR THE WASHINGTON STATE PATROL--INVESTIGATIVE SERVICES BUREAU**
25 State Patrol Highway Account--State Appropriation . . . ((~~\$1,300,000~~))
26 \$1,553,000

27 **Sec. 210.** 2007 c 518 s 210 (uncodified) is amended to read as
28 follows:

29 **FOR THE WASHINGTON STATE PATROL--TECHNICAL SERVICES BUREAU**
30 State Patrol Highway Account--State Appropriation . . . ((~~\$103,157,000~~))
31 \$102,891,000
32 State Patrol Highway Account--Private/Local
33 Appropriation \$2,008,000
34 TOTAL APPROPRIATION ((~~\$105,165,000~~))
35 \$104,899,000

1 The appropriations in this section are subject to the following
2 conditions and limitations:

3 (1) The Washington state patrol shall work with the risk management
4 division in the office of financial management in compiling the
5 Washington state patrol's data for establishing the agency's risk
6 management insurance premiums to the tort claims account. The office
7 of financial management and the Washington state patrol shall submit a
8 report to the legislative transportation committees by December 31st of
9 each year on the number of claims, estimated claims to be paid, method
10 of calculation, and the adjustment in the premium.

11 (2) (~~(\$12,641,000)~~) \$9,981,000 of the total appropriation is
12 provided solely for automobile fuel in the 2007-2009 biennium.

13 (3) (~~(\$8,678,000)~~) \$7,461,000 of the total appropriation is
14 provided solely for the purchase of pursuit vehicles.

15 (4) (~~(\$5,254,000)~~) \$6,328,000 of the total appropriation is
16 provided solely for vehicle repair and maintenance costs of vehicles
17 used for highway purposes.

18 (5) \$384,000 of the total appropriation is provided solely for the
19 purchase of mission vehicles used for highway purposes in the
20 commercial vehicle and traffic investigation sections of the Washington
21 state patrol.

22 (6) The Washington state patrol may submit information technology
23 related requests for funding only if the patrol has coordinated with
24 the department of information services as required by section 602 of
25 this act.

26 (7) \$630,000 of the total appropriation is provided solely for the
27 ongoing software maintenance and technical support for the digital
28 microwave system. The Washington state patrol shall coordinate with
29 the other members of the Washington state interoperability executive
30 committee to ensure compatibility between emergency communication
31 systems.

32 **Sec. 211.** 2007 c 518 s 212 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF LICENSING**

35 Marine Fuel Tax Refund Account--State Appropriation \$32,000

36 Motorcycle Safety Education Account--State

37 Appropriation (~~(\$3,905,000)~~)

1 Canadian border. (~~If Engrossed Substitute House Bill No. 1289~~
2 ~~(relating to the issuance of enhanced drivers' licenses and~~
3 ~~identicards) is not enacted by June 30, 2007, the amount provided in~~
4 ~~this subsection shall lapse. The department may expend funds only~~
5 ~~after acceptance of the enhanced Washington state driver's license for~~
6 ~~border crossing purposes by the Canadian and United States governments.~~
7 ~~The department may expend funds only after prior written approval of~~
8 ~~the director of financial management. Of the amount provided in this~~
9 ~~subsection, up to \$1,000,000 is for a statewide educational campaign,~~
10 ~~which must include coordination with existing public and private~~
11 ~~entities, to inform the Washington public of the benefits of the new~~
12 ~~enhanced drivers' licenses and identicards.)~~)

13 (4) \$91,000 of the motor vehicle account--state appropriation and
14 \$152,000 of the highway safety account--state appropriation are
15 provided solely for contracting with the office of the attorney general
16 to investigate criminal activity uncovered in the course of the
17 agency's licensing and regulatory activities. Funding is provided for
18 the 2008 fiscal year. The department may request funding for the 2009
19 fiscal year if the request is submitted with measurable data indicating
20 the department's progress in meeting its goal of increased prosecution
21 of illegal activity.

22 (5) \$350,000 of the highway safety account--state appropriation is
23 provided solely for the costs associated with the systems development
24 of the interface that will allow insurance carriers and their agents
25 real time, online access to drivers' records. If Substitute Senate
26 Bill No. 5937 is not enacted by June 30, 2007, the amount provided in
27 this subsection shall lapse.

28 (6) \$1,145,000 of the state patrol highway account--state
29 appropriation is provided solely for the implementation of Substitute
30 House Bill No. 1304 (modifying commercial motor vehicle carrier
31 provisions). If Substitute House Bill No. 1304 is not enacted by June
32 30, 2007, the amount provided in this subsection shall lapse.

33 (7) The department may submit information technology related
34 requests for funding only if the department has coordinated with the
35 department of information services as required by section 602 of this
36 act.

37 (8) (~~Within the amounts appropriated in this section, the~~
38 ~~department shall, working with the legislature, develop a proposal to~~)

1 \$116,000 of the motor vehicle account--state appropriation is provided
2 solely to, in consultation with the legislature, streamline title and
3 registration statutes to specifically address apparent conflicts, fee
4 distribution, and other recommendations by the department that are
5 revenue neutral and which do not change legislative policy. The
6 department shall (~~report the results of this review to the~~
7 ~~transportation committees of the legislature by December 1, 2007)~~
8 submit recommended changes to the transportation committees of the
9 legislature by the end of the biennium.

10 (9) \$246,000 of the department of licensing services account--state
11 appropriation is provided solely for the implementation of Substitute
12 Senate Bill No. 6836 (secure vehicle licensing system). If Substitute
13 Senate Bill No. 6836 is not enacted by June 30, 2008, the amount
14 provided in this subsection shall lapse.

15 (10) \$960,000 of the motor vehicle account--state appropriation is
16 provided solely for the implementation of Second Substitute House Bill
17 No. 1046 (motor vehicle insurance). If Second Substitute House Bill
18 No. 1046 is not enacted by June 30, 2008, the amount provided in this
19 subsection shall lapse.

20 (11) \$277,000 of the highway safety account--state appropriation is
21 provided solely for the implementation of Senate Bill No. 6885 (driving
22 record abstracts). If Senate Bill No. 6885 is not enacted by June 30,
23 2008, the amount provided in this subsection shall lapse.

24 (12) \$417,000 of the highway safety account--state appropriation is
25 provided solely for the implementation of Engrossed Second Substitute
26 Senate Bill No. 6546 (ignition interlock drivers' license). If
27 Engrossed Second Substitute Senate Bill No. 6546 is not enacted by June
28 30, 2008, the amount provided in this subsection shall lapse.

29 (13) The department shall investigate instituting a program whereby
30 individual registered vehicle owners can have license plates tested for
31 reflectivity to determine whether the department's requirement that the
32 license plates be replaced after seven years can be waived for that
33 particular set of license plates.

34 **Sec. 212.** 2007 c 518 s 213 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**

1 (4) \$1,000,000 of the motor vehicle account--state appropriation,
2 (~~(\$4,556,000)~~) \$5,892,000 of the transportation partnership account--
3 state appropriation, and (~~(\$4,000,000)~~) \$5,337,000 of the
4 transportation 2003 account (nickel account)--state appropriation are
5 provided solely for the department to develop a project management and
6 reporting system which is a collection of integrated tools for capital
7 construction project managers to use to perform all the necessary tasks
8 associated with project management. The department shall integrate
9 commercial off-the-shelf software with existing department systems and
10 enhanced approaches to data management to provide web-based access for
11 multi-level reporting and improved business workflows and reporting.
12 Beginning September 1, 2007, and on a quarterly basis thereafter, the
13 department shall report to the office of financial management and the
14 transportation committees of the legislature on the status of the
15 development and integration of the system. The first report shall
16 include a detailed work plan for the development and integration of the
17 system including timelines and budget milestones. At a minimum the
18 ensuing reports shall indicate the status of the work as it compares to
19 the work plan, any discrepancies, and proposed adjustments necessary to
20 bring the project back on schedule or budget if necessary.

21 (5) The department may submit information technology related
22 requests for funding only if the department has coordinated with the
23 department of information services as required by section 602 of this
24 act.

25 (6) \$1,600,000 of the motor vehicle account--state appropriation is
26 provided solely for the critical application assessment implementation
27 project. The department shall submit a progress report on the critical
28 application assessment implementation project to the house of
29 representatives and senate transportation committees on or before
30 December 1, 2007, and December 1, 2008, with a final report on or
31 before June 30, 2009.

32 **Sec. 214.** 2007 c 518 s 215 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS**
35 **AND CONSTRUCTION--PROGRAM D--OPERATING**
36 Motor Vehicle Account--State Appropriation (~~(\$34,569,000)~~)
37 \$34,030,000

1 monitoring, forecasting, and reporting. The consultants shall work
2 with the department of information services in the development of the
3 project management and reporting system.

4 The consultants shall provide an updated copy of the capital
5 construction strategic plan to the legislative transportation
6 committees and to the office of financial management on June 30, 2008,
7 and each year thereafter.

8 The department shall coordinate its work with other budget and
9 performance efforts, including Roadmap, the findings of the critical
10 applications modernization and integration strategies study, including
11 proposed next steps, and the priorities of government process.

12 The department shall report to the transportation committees of the
13 house of representatives and senate, and the office of financial
14 management, by December 31, 2007, on the implementation status of
15 recommended capital budgeting and reporting options. Options must
16 include: Reporting against legislatively-established project
17 identification numbers and may include recommendations for reporting
18 against other appropriate project groupings; measures for reporting
19 progress, timeliness, and cost which create an incentive for the
20 department to manage effectively and report its progress in a
21 transparent manner; and criteria and process for transfers of funds
22 among projects.

23 **Sec. 217.** 2007 c 518 s 218 (uncodified) is amended to read as
24 follows:

25 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM**
26 **K**

27	Motor Vehicle Account--State Appropriation	((\$1,151,000))
28		<u>\$1,142,000</u>
29	Multimodal Transportation Account--State Appropriation . . .	\$300,000
30	TOTAL APPROPRIATION	((\$1,451,000))
31		<u>\$1,442,000</u>

32 The appropriation in this section is subject to the following
33 conditions and limitations:

- 34 (1) \$300,000 of the multimodal account--state appropriation is
- 35 provided solely for the department to hire a consultant to develop a
- 36 plan for codevelopment and public-private partnership opportunities at
- 37 public ferry terminals.

1 (2) The department shall conduct an analysis and, if determined to
2 be feasible, initiate requests for proposals involving the distribution
3 of alternative fuels along state department of transportation
4 rights-of-way.

5 **Sec. 218.** 2007 c 518 s 219 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M**

8 Motor Vehicle Account--State Appropriation	((\$321,888,000))
9	<u>\$331,565,000</u>
10 Motor Vehicle Account--Federal Appropriation	((\$2,000,000))
11	<u>\$5,000,000</u>
12 Motor Vehicle Account--Private/Local Appropriation	\$5,797,000
13 TOTAL APPROPRIATION	((\$329,685,000))
14	<u>\$342,362,000</u>

15 The appropriations in this section are subject to the following
16 conditions and limitations:

17 (1) If portions of the appropriations in this section are required
18 to fund maintenance work resulting from major disasters not covered by
19 federal emergency funds such as fire, flooding, and major slides,
20 supplemental appropriations must be requested to restore state funding
21 for ongoing maintenance activities.

22 (2) The department shall request an unanticipated receipt for any
23 federal moneys received for emergency snow and ice removal and shall
24 place an equal amount of the motor vehicle account--state into
25 unallotted status. This exchange shall not affect the amount of
26 funding available for snow and ice removal.

27 (3) The department shall request an unanticipated receipt for any
28 private or local funds received for reimbursements of third party
29 damages that are in excess of the motor vehicle account--private/local
30 appropriation.

31 (4) ((~~\$1,500,000~~)) \$5,000,000 of the motor vehicle account--federal
32 appropriation is provided for unanticipated federal funds that may be
33 received during the 2007-09 biennium. Upon receipt of the funds, the
34 department shall provide a report on the use of the funds to the
35 transportation committees of the legislature and the office of
36 financial management.

1 (5) Funding is provided for maintenance on the state system to
2 deliver service level targets as listed in LEAP Transportation Document
3 2007-C, as developed April 20, 2007. In delivering the program and
4 aiming for these targets, the department should concentrate on the
5 following areas:

6 (a) Eliminating the number of activities delivered in the "f" level
7 of service at the region level; and

8 (b) Evaluating, analyzing, and potentially redistributing resources
9 within and among regions to provide greater consistency in delivering
10 the program statewide and in achieving overall level of service
11 targets.

12 (6) The department may work with the department of corrections to
13 utilize corrections crews for the purposes of litter pickup on state
14 highways.

15 (7) \$650,000 of the motor vehicle account--state appropriation is
16 provided solely for increased asphalt costs.

17 (8) The department shall prepare a comprehensive listing of
18 maintenance backlogs and related costs and report to the office of
19 financial management and the transportation committees of the
20 legislature by December 31, 2008.

21 (9) \$79,266,000 of the motor vehicle account--state appropriation
22 is for snow and ice related expenses, within which is a one-time
23 increase of \$3,250,000 provided solely for extraordinary snow and ice
24 removal expenses incurred during the winter of 2007-08.

25 **Sec. 219.** 2007 c 518 s 220 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
28 **OPERATING**

29 Motor Vehicle Account--State Appropriation	((\$52,040,000))
	<u>\$51,478,000</u>
31 Motor Vehicle Account--Federal Appropriation	\$2,050,000
32 Motor Vehicle Account--Private/Local Appropriation	\$127,000
33 TOTAL APPROPRIATION	((\$54,217,000))
	<u>\$53,655,000</u>

35 The appropriations in this section are subject to the following
36 conditions and limitations:

1 (1) \$654,000 of the motor vehicle account--state appropriation is
2 provided solely for the department to time state-owned and operated
3 traffic signals. This funding may also be used to program incident,
4 emergency, or special event signal timing plans.

5 (2) \$346,000 of the motor vehicle account--state appropriation is
6 provided solely for the department to implement a pilot tow truck
7 incentive program. The department may provide incentive payments to
8 towing companies that meet clearance goals on accidents that involve
9 heavy trucks.

10 (3) \$6,800,000 of the motor vehicle account--state appropriation is
11 provided solely for low-cost enhancements. The department shall give
12 priority to low-cost enhancement projects that improve safety or
13 provide congestion relief. The department shall prioritize low-cost
14 enhancement projects on a statewide rather than regional basis. By
15 January 1, 2008, and January 1, 2009, the department shall provide a
16 report to the legislature listing all low-cost enhancement projects
17 prioritized on a statewide rather than regional basis completed in the
18 prior year.

19 (4) The department, in consultation with the Washington state
20 patrol, may conduct a pilot program for the patrol to issue infractions
21 based on information from automated traffic safety cameras in roadway
22 construction zones on state highways when workers are present.

23 (a) In order to ensure adequate time in the 2007-09 biennium to
24 evaluate the effectiveness of the pilot program, any projects
25 authorized by the department must be authorized by December 31, 2007.

26 (b) The department shall use the following guidelines to administer
27 the program:

28 (i) Automated traffic safety cameras may only take pictures of the
29 vehicle and vehicle license plate and only while an infraction is
30 occurring. The picture must not reveal the face of the driver or of
31 passengers in the vehicle;

32 (ii) The department shall plainly mark the locations where the
33 automated traffic safety cameras are used by placing signs on locations
34 that clearly indicate to a driver that he or she is entering a roadway
35 construction zone where traffic laws are enforced by an automated
36 traffic safety camera;

37 (iii) Notices of infractions must be mailed to the registered owner
38 of a vehicle within fourteen days of the infraction occurring;

1 (iv) The owner of the vehicle is not responsible for the violation
2 if the owner of the vehicle, within fourteen days of receiving
3 notification of the violation, mails to the patrol, a declaration under
4 penalty of perjury, stating that the vehicle involved was, at the time,
5 stolen or in the care, custody, or control of some person other than
6 the registered owner, or any other extenuating circumstances;

7 (v) For purposes of the 2007-09 biennium pilot project, infractions
8 detected through the use of automated traffic safety cameras are not
9 part of the registered owner's driving record under RCW 46.52.101 and
10 46.52.120. Additionally, infractions generated by the use of automated
11 traffic safety cameras must be processed in the same manner as parking
12 infractions for the purposes of RCW 3.46.120, 3.50.100, 35.20.220,
13 46.16.216, and 46.20.270(3). However, the amount of the fine issued
14 for an infraction generated through the use of an automated traffic
15 safety camera is one hundred thirty-seven dollars. The court shall
16 remit thirty-two dollars of the fine to the state treasurer for deposit
17 into the state patrol highway account;

18 (vi) If a notice of infraction is sent to the registered owner and
19 the registered owner is a rental car business, the infraction will be
20 dismissed against the business if it mails to the patrol, within
21 fourteen days of receiving the notice, a declaration under penalty of
22 perjury of the name and known mailing address of the individual driving
23 or renting the vehicle when the infraction occurred. If the business
24 is unable to determine who was driving or renting the vehicle at the
25 time the infraction occurred, the business must sign a declaration
26 under penalty of perjury to this effect. The declaration must be
27 mailed to the patrol within fourteen days of receiving the notice of
28 traffic infraction. Timely mailing of this declaration to the issuing
29 agency relieves a rental car business of any liability under this
30 section for the notice of infraction. A declaration form suitable for
31 this purpose must be included with each automated traffic infraction
32 notice issued, along with instructions for its completion and use; and

33 (vii) By June 30, 2009, the department shall provide a report to
34 the legislature regarding the use, public acceptance, outcomes, and
35 other relevant issues regarding the pilot project.

36 (5) The traffic signal operations along 164th Street SE at the
37 intersections of Mill Creek Boulevard and SR 527 should be optimized to

1 minimize vehicle delay on both corridors based on traffic volumes and
2 not only on functional classification or designation.

3 **Sec. 220.** 2007 c 518 s 221 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
6 **SUPPORT--PROGRAM S**

7	Motor Vehicle Account--State Appropriation	((\$28,215,000))
8		<u>\$27,392,000</u>
9	Motor Vehicle Account--Federal Appropriation	\$30,000
10	Puget Sound Ferry Operations Account--State	
11	Appropriation	\$1,321,000
12	Multimodal Transportation Account--State	
13	Appropriation	\$1,223,000
14	TOTAL APPROPRIATION	((\$30,789,000))
15		<u>\$29,966,000</u>

16 The appropriations in this section are subject to the following
17 conditions and limitations:

18 (1) The department shall work with staffs from the legislative
19 evaluation and accountability program committee, the transportation
20 committees of the legislature, and the office of financial management
21 on developing a new capital budgeting system to meet identified
22 information needs.

23 (2) \$250,000 of the multimodal account--state appropriation is
24 provided solely for implementing a wounded combat veteran's internship
25 program, administered by the department. The department shall seek
26 federal funding to support the continuation of this program.

27 **Sec. 221.** 2007 c 518 s 222 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
30 **AND RESEARCH--PROGRAM T**

31	Motor Vehicle Account--State Appropriation	((\$30,698,000))
32		<u>\$27,700,000</u>
33	Motor Vehicle Account--Federal Appropriation	\$19,163,000
34	Multimodal Transportation Account--State	
35	Appropriation	((\$1,029,000))
36		<u>\$1,941,000</u>

1	Multimodal Transportation Account--Federal	
2	Appropriation	\$2,809,000
3	Multimodal Transportation Account--Private/Local	
4	Appropriation	\$100,000
5	TOTAL APPROPRIATION	((\$53,799,000))
6		<u>\$51,713,000</u>

7 The appropriations in this section are subject to the following
8 conditions and limitations:

9 ~~(1) ((\$3,900,000 of the motor vehicle account--state appropriation~~
10 ~~is provided solely for the costs of the regional transportation~~
11 ~~investment district (RTID) and department of transportation project~~
12 ~~oversight. The department shall provide support from its urban~~
13 ~~corridors region to assist in preparing project costs, expenditure~~
14 ~~plans, and modeling. The department shall not deduct a management~~
15 ~~reserve, nor charge management or overhead fees. These funds,~~
16 ~~including those expended since 2003, are provided as a loan to the RTID~~
17 ~~and shall be repaid to the state within one year following formation of~~
18 ~~the RTID. \$2,391,000 of the amount provided under this subsection~~
19 ~~shall lapse, effective January 1, 2008, if voters fail to approve~~
20 ~~formation of the RTID at the 2007 general election, as determined by~~
21 ~~the certification of the election results.))~~ \$1,559,000 of the motor
22 vehicle account--state appropriation is provided solely for costs
23 incurred for the 2007 regional transportation investment district
24 election.

25 (2) (~~(\$300,000)~~) \$1,080,000 of the multimodal transportation
26 account--state appropriation is provided solely for a transportation
27 demand management program, developed by the Whatcom council of
28 governments, to further reduce drive-alone trips and maximize the use
29 of sustainable transportation choices. The community-based program
30 must focus on all trips, not only commute trips, by providing
31 education, assistance, and incentives to four target audiences: (a)
32 Large work sites; (b) employees of businesses in downtown areas; (c)
33 school children; and (d) residents of Bellingham.

34 (3) \$320,000 of the motor vehicle account--state appropriation and
35 \$128,000 of the motor vehicle account--federal appropriation are
36 provided solely for development of a freight database to help guide
37 freight investment decisions and track project effectiveness. The
38 database will be based on truck movement tracked through geographic

1 information system technology. TransNow will contribute an additional
2 \$192,000 in federal funds which are not appropriated in the
3 transportation budget. The department shall work with the freight
4 mobility strategic investment board to implement this project.

5 (4) By December 1, 2008, the department shall require confirmation
6 from jurisdictions that plan under the growth management act, chapter
7 36.70A RCW, and that receive state transportation funding under this
8 act, that the jurisdictions have adopted standards for access
9 permitting on state highways that meet or exceed department standards
10 in accordance with RCW 47.50.030. The objective of this subsection is
11 to encourage local governments, through the receipt of state
12 transportation funding, to adhere to best practices in access control
13 applicable to development activity significantly impacting state
14 transportation facilities. By January 1, 2009, the department shall
15 submit a report to the appropriate committees of the legislature
16 detailing the progress of the local jurisdictions in adopting the
17 highway access permitting standards.

18 (5) \$150,000 of the motor vehicle account--federal appropriation is
19 provided solely for the costs to develop an electronic map-based
20 computer application that will enable law enforcement officers and
21 others to more easily locate collisions and other incidents in the
22 field.

23 (6) The department shall add a position within the freight systems
24 division to provide expertise regarding the trucking aspects of the
25 state's freight system.

26 (7) The department shall evaluate the feasibility of developing a
27 freight corridor bypass from Everett to Gold Bar on US 2, including a
28 connection to SR 522. US 2 is an important freight corridor, and is an
29 alternative route for I-90. Congestion, safety issues, and flooding
30 concerns have all contributed to the need for major improvements to the
31 corridor. The evaluation shall consider the use of toll lanes for the
32 project. The department must report to the transportation committees
33 of the legislature by December 1, 2007, on its analysis and
34 recommendations regarding the benefit of a freight corridor and the
35 potential use of freight toll lanes to improve safety and congestion in
36 the corridor.

37 (8) The department shall work with the department of ecology, the
38 county road administration board, and the transportation improvement

1 board to develop model procedures and municipal and state rules in
2 regard to maximizing the use of recycled asphalt on road construction
3 and preservation projects. The department shall report to the joint
4 transportation committee by December 1, 2008, with recommendations on
5 increasing the use of recycled asphalt at the state and local level.

6 (9) \$140,000 of the multimodal transportation account--state
7 appropriation is provided solely for a full-time employee to develop
8 vehicle miles traveled and other greenhouse gas emissions benchmarks.

9 (10) \$80,000 of the motor vehicle account--state appropriation is
10 provided solely to study the feasibility of a new interchange on
11 interstate 5 between the city of Rochester and harrison avenue.

12 **Sec. 222.** 2007 c 518 s 223 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
15 **PROGRAM U**

16	Motor Vehicle Account--State Appropriation	((\$66,342,000))
17		<u>\$66,428,000</u>
18	Motor Vehicle Account--Federal Appropriation	\$400,000
19	Multimodal Transportation Account--State	
20	Appropriation	\$259,000
21	TOTAL APPROPRIATION	((\$67,001,000))
22		<u>\$67,087,000</u>

23 The appropriations in this section are subject to the following
24 conditions and limitations:

25 (1) \$36,665,000 of the motor vehicle fund--state appropriation is
26 provided solely for the liabilities attributable to the department of
27 transportation. The office of financial management must provide a
28 detailed accounting of the revenues and expenditures of the self-
29 insurance fund to the transportation committees of the legislature on
30 December 31st and June 30th of each year.

31 (2) Payments in this section represent charges from other state
32 agencies to the department of transportation.

33 (a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT
34 DIVISION OF RISK MANAGEMENT FEES \$1,520,000

35 (b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE
36 AUDITOR ((~~\$1,150,000~~))
37 \$1,153,000

1 (c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL
2 ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED
3 MAIL SERVICES ((~~\$4,157,000~~))
4 \$4,859,000

5 (d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF
6 PERSONNEL ((~~\$4,033,000~~))
7 \$7,593,000

8 (e) FOR PAYMENT OF SELF-INSURANCE LIABILITY
9 PREMIUMS AND ADMINISTRATION \$36,665,000

10 (f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL
11 ADMINISTRATION CAPITAL PROJECTS SURCHARGE \$1,838,000

12 (g) FOR ARCHIVES AND RECORDS MANAGEMENT ((~~\$647,000~~))
13 \$677,000

14 (h) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS
15 ENTERPRISES ((~~\$1,070,000~~))
16 \$1,042,000

17 (i) FOR USE OF FINANCIAL SYSTEMS PROVIDED BY
18 THE OFFICE OF FINANCIAL MANAGEMENT ((~~\$930,000~~))
19 \$966,000

20 (j) FOR POLICY ASSISTANCE FROM THE DEPARTMENT
21 OF INFORMATION SERVICES ((~~\$1,138,000~~))
22 \$945,000

23 (k) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY
24 GENERAL'S OFFICE ((~~\$8,859,000~~))
25 \$9,045,000

26 (l) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY
27 GENERAL'S OFFICE FOR THE SECOND PHASE OF THE BOLDT
28 LITIGATION \$158,000

29 (m) FOR DEPARTMENT OF PERSONNEL ONLINE RECRUITING \$326,000

30 **Sec. 223.** 2007 c 518 s 224 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**
33 **V**
34 Regional Mobility Grant Program Account--State
35 Appropriation \$40,000,000
36 Multimodal Transportation Account--State
37 Appropriation ((~~\$85,202,000~~))

1 transportation. Noncompetitive grants must be distributed to the
2 transit systems serving small cities and rural areas in a manner
3 similar to past disparity equalization programs.

4 (b) \$8,500,000 of the multimodal transportation account--state
5 appropriation is provided solely to providers of rural mobility service
6 in areas not served or underserved by transit agencies through a
7 competitive grant process.

8 (3) \$8,600,000 of the multimodal transportation account--state
9 appropriation is provided solely for a vanpool grant program for: (a)
10 Public transit agencies to add vanpools; and (b) incentives for
11 employers to increase employee vanpool use. The grant program for
12 public transit agencies will cover capital costs only; no operating
13 costs for public transit agencies are eligible for funding under this
14 grant program. No additional employees may be hired from the funds
15 provided in this section for the vanpool grant program, and supplanting
16 of transit funds currently funding vanpools is not allowed. Additional
17 criteria for selecting grants must include leveraging funds other than
18 state funds.

19 (4) \$40,000,000 of the regional mobility grant program account--
20 state appropriation is provided solely for the regional mobility grant
21 projects identified on the LEAP Transportation Document 2007-B as
22 developed April 20, 2007. The department shall review all projects
23 receiving grant awards under this program at least semiannually to
24 determine whether the projects are making satisfactory progress. Any
25 project that has been awarded funds, but does not report activity on
26 the project within one year of the grant award, shall be reviewed by
27 the department to determine whether the grant should be terminated.
28 The department shall promptly close out grants when projects have been
29 completed, and any remaining funds available to the office of transit
30 mobility shall be used only to fund projects on the LEAP Transportation
31 Document 2007-B as developed April 20, 2007. The department shall
32 provide annual status reports on December 15, 2007, and December 15,
33 2008, to the office of financial management and the transportation
34 committees of the legislature regarding the projects receiving the
35 grants.

36 (5) \$17,168,087 of the multimodal transportation account--state
37 appropriation is reappropriated and provided solely for the regional
38 mobility grant projects identified on the LEAP Transportation Document

1 2006-D, regional mobility grant program projects as developed March 8,
2 2006. The department shall continue to review all projects receiving
3 grant awards under this program at least semiannually to determine
4 whether the projects are making satisfactory progress. The department
5 shall promptly close out grants when projects have been completed, and
6 any remaining funds available to the office of transit mobility shall
7 be used only to fund projects on the LEAP Transportation Document
8 2007-B as developed April 20, 2007, or the LEAP Transportation Document
9 2006-D as developed March 8, 2006.

10 (6) \$200,000 of the multimodal transportation account--state
11 appropriation is provided solely for the department to study and then
12 develop pilot programs aimed at addressing commute trip reduction
13 strategies for K-12 students and for college and university students.
14 The department shall submit to the legislature by January 1, 2009, a
15 summary of the program results and recommendations for future student
16 commute trip reduction strategies. The pilot programs are described as
17 follows:

18 (a) The department shall consider approaches, including mobility
19 education, to reducing and removing traffic congestion in front of
20 schools by changing travel behavior for elementary, middle, and high
21 school students and their parents; and

22 (b) The department shall design a program that includes student
23 employment options as part of the pilot program applicable to college
24 and university students.

25 (7) \$2,400,000 of the multimodal account--state appropriation is
26 provided solely for establishing growth and transportation efficiency
27 centers (GTEC). Funds are appropriated for one time only. The
28 department shall provide in its annual report to the legislature an
29 evaluation of the GTEC concept and recommendations on future funding
30 levels.

31 (8) \$381,000 of the multimodal transportation account--state
32 appropriation is provided solely for the implementation of Substitute
33 House Bill No. 1694 (reauthorizing the agency council on coordinated
34 transportation). If Substitute House Bill No. 1694 is not enacted by
35 June 30, 2007, the amount provided in this subsection shall lapse.

36 (9) (~~(\$136,000)~~) \$504,000 of the multimodal transportation
37 account--private/local appropriation is provided solely for the

1 implementation of Senate Bill No. 5084 (updating rail transit safety
2 plans). If Senate Bill No. 5084 is not enacted by June 30, 2007, the
3 amount provided in this subsection shall lapse.

4 (10) \$60,000 of the multimodal transportation account--state
5 appropriation is provided solely for low-income car ownership programs.
6 The department shall collaborate with interested regional
7 transportation planning organizations and metropolitan planning
8 organizations to determine the effectiveness of the programs at
9 providing transportation solutions for low-income persons who depend
10 upon cars to travel to their places of employment.

11 (11) \$1,000,000 of the multimodal transportation account--state
12 appropriation is provided solely for additional funding for the trip
13 reduction performance program, including telework enhancement projects.
14 Funds are appropriated for one time only.

15 (12) (~~(\$2,000,000)~~) \$2,309,000 of the multimodal transportation
16 account--state appropriation is provided solely for the tri-county
17 connection service for Island, Skagit, and Whatcom transit agencies.

18 (13) \$150,000 of the multimodal transportation account--state
19 appropriation is provided solely as a grant for a telework pilot
20 project to be developed, administered, and monitored by the Kitsap
21 regional coordinating council. Funds are appropriated for one time
22 only. The primary purposes of the pilot project are to educate
23 employers about telecommuting, develop telework policies and resources
24 for employers, and reduce traffic congestion by encouraging teleworking
25 in the workplace. As part of the pilot project, the council shall
26 recruit public and private sector employer participants throughout the
27 county, identify telework sites, develop an employer's toolkit
28 consisting of teleworking resources, and create a telecommuting
29 template that may be applied in other communities. The council shall
30 submit to the legislature by July 1, 2009, a summary of the program
31 results and any recommendations for future telework strategies.

32 **Sec. 224.** 2007 c 518 s 225 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X**
35 Puget Sound Ferry Operations Account--State
36 Appropriation (~~(\$412,189,000)~~)
37 \$425,009,000

1 Multimodal Transportation Account--State
 2 Appropriation ((~~\$1,830,000~~))
 3 \$1,914,000
 4 TOTAL APPROPRIATION ((~~\$414,019,000~~))
 5 \$426,923,000

6 The appropriations in this section are subject to the following
 7 conditions and limitations:

8 (1) ((~~\$79,191,000~~)) \$90,299,000 of the Puget Sound ferry
 9 operations--state appropriation is provided solely for auto ferry
 10 vessel operating fuel in the 2007-2009 biennium.

11 (2) The Washington state ferries must work with the department's
 12 information technology division to implement an electronic fare system,
 13 including the integration of the regional fare coordination system
 14 (smart card). Each December and June, semiannual updates must be
 15 provided to the transportation committees of the legislature concerning
 16 the status of implementing and completing this project, with updates
 17 concluding the first December after full project implementation.

18 (3) The Washington state ferries shall continue to provide service
 19 to Sidney, British Columbia.

20 (4) ((~~\$1,830,000~~)) \$1,914,000 of the multimodal transportation
 21 account--state appropriation is provided solely to provide
 22 passenger-only ferry service. The ferry system shall continue
 23 passenger-only ferry service from Vashon Island to Seattle through June
 24 30, 2008. Ferry system management shall continue to implement its
 25 agreement with the inlandboatmen's union of the pacific and the
 26 international organization of masters, mates and pilots providing for
 27 part-time passenger-only work schedules.

28 (5) \$932,000 of the Puget Sound ferries operations account--state
 29 appropriation is provided solely for compliance with department of
 30 ecology rules regarding the transfer of oil on or near state waters.
 31 Funding for compliance with on-board fueling rules is provided for the
 32 2008 fiscal year. The department may request funding for the 2009
 33 fiscal year if the request is submitted with an alternative compliance
 34 plan filed with the department of ecology, as allowed by rule.

35 (6) \$1,116,000 of the Puget Sound ferry operations account--state
 36 appropriation is provided solely for ferry security operations
 37 necessary to comply with the ferry security plan submitted by the
 38 Washington state ferry system to the United States coast guard. The

1 department shall track security costs and expenditures. Ferry security
2 operations costs shall not be included as part of the operational costs
3 that are used to calculate farebox recovery.

4 (7) \$378,000 of the Puget Sound ferry operations account--state
5 appropriation is provided solely to meet the United States coast guard
6 requirements for appropriate rest hours between shifts for vessel crews
7 on the Bainbridge to Seattle and Edmonds to Kingston ferry routes.

8 (8) \$694,000 of the Puget Sound ferries operating account--state
9 appropriation is provided solely for implementing Engrossed Substitute
10 House Bill No. 2358 as follows:

11 (a) The department shall allow the joint transportation committee
12 work group established in section 205(1) of this act to participate in
13 the following elements as they are described in Engrossed Substitute
14 House Bill No. 2358:

15 (i) Development and implementation of a survey of ferry customers;

16 (ii) Analysis and reestablishment of vehicle level of service
17 standards. In reestablishing the standards, consideration shall be
18 given to whether boat wait is the appropriate measure. The level of
19 service standard shall be reestablished in conjunction with or after
20 the survey has been implemented;

21 (iii) Development of pricing policy proposals. In developing these
22 policies, the policies, in effect on some routes, of collecting fares
23 in only one direction shall be evaluated to determine whether one-way
24 fare pricing best serves the ferry system. The pricing policy
25 proposals must be developed in conjunction with or after the survey has
26 been implemented;

27 (iv) Development of operational strategies. The operational
28 strategies shall be reestablished in conjunction with the survey or
29 after the survey has been implemented;

30 (v) Development of terminal design standards. The terminal design
31 standards shall be finalized after the provisions of subsections (a)(i)
32 through (iv) and subsection (b) of this section have been developed and
33 reviewed by the joint transportation committee; and

34 (vi) Development of a capital plan. The capital plan shall be
35 finalized after terminal design standards have been developed by the
36 department and reviewed by the joint transportation committee.

37 (b) The department shall develop a ridership demand forecast that

1 shall be used in the development of a long-range capital plan. If more
2 than one forecast is developed they must be reconciled.

3 (c) The department shall update the life cycle cost model to meet
4 the requirements of Engrossed Substitute House Bill No. 2358 no later
5 than August 1, 2007.

6 (d) The department shall develop a cost allocation methodology
7 proposal to meet the requirements described in Engrossed Substitute
8 House Bill No. 2358. The proposal shall be completed and presented to
9 the joint transportation committee no later than August 1, 2007.

10 (9) \$200,000 of the Puget Sound ferry operations account--state
11 appropriation is provided solely for the initial acquisition of
12 transportation worker identification credentials required by the United
13 States department of homeland security for unescorted access to secure
14 areas of ferries and terminals.

15 (10) The legislature finds that a rigorous incident investigation
16 process is an essential component of marine safety. The department is
17 directed to review its accident and incident investigation procedures
18 and report the results of its review with any proposals for changes to
19 the legislature by November 1, 2008.

20 **Sec. 225.** 2007 c 518 s 226 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**

23	Multimodal Transportation Account--State	
24	Appropriation	(((\$37,034,000))
25		<u>\$37,012,000</u>

26 The appropriation in this section is subject to the following
27 conditions and limitations:

28 (1) The department shall publish a final long-range plan for Amtrak
29 Cascades by September 30, 2007. By December 31, 2008, the department
30 shall submit to the office of financial management and the
31 transportation committees of the legislature a midrange plan for Amtrak
32 Cascades that identifies specific steps the department would propose to
33 achieve additional service beyond current levels.

34 (2)(a) \$29,091,000 of the multimodal transportation account--state
35 appropriation is provided solely for the Amtrak service contract and
36 Talgo maintenance contract associated with providing and maintaining

1 the state-supported passenger rail service. Upon completion of the
2 rail platform project in the city of Stanwood, the department shall
3 provide daily Amtrak Cascades service to the city.

4 (b) The department shall negotiate with Amtrak and Burlington
5 Northern Santa Fe to adjust the Amtrak Cascades schedule to leave
6 Bellingham at a significantly earlier hour.

7 (c) When Amtrak Cascades expands the second roundtrip between
8 Vancouver, B.C. and Seattle, the department shall negotiate for the
9 second roundtrip to leave Bellingham southbound no later than 8:30 a.m.

10 (3) No Amtrak Cascade runs may be eliminated.

11 (4) \$40,000 of the multimodal transportation account--state
12 appropriation is provided solely for the produce railcar program. The
13 department is encouraged to implement the produce railcar program by
14 maximizing private investment.

15 (5) The department shall begin planning for a third roundtrip
16 Cascades train between Seattle and Vancouver, B.C. by 2010.

17 **Sec. 226.** 2007 c 518 s 227 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
20 **OPERATING**

21 Motor Vehicle Account--State Appropriation	((\$8,630,000))
	<u>\$8,745,000</u>
23 Motor Vehicle Account--Federal Appropriation	\$2,567,000
24 TOTAL APPROPRIATION	((\$11,197,000))
	<u>\$11,312,000</u>

26 The appropriations in this section are subject to the following
27 conditions and limitations: The department of transportation shall
28 provide up to \$3,450,000 in toll credits to Kitsap transit for
29 passenger-only ferry service. The number of toll credits provided to
30 Kitsap transit must be equal to, but no more than, a number sufficient
31 to meet federal match requirements for grant funding for passenger-only
32 ferry service, but shall not exceed the amount authorized under this
33 section. The department may not allocate, grant, or utilize any state
34 or state appropriated or managed federal funds as match to the federal
35 grant funding on projects to which these toll credits are applied.

36 **TRANSPORTATION AGENCIES--CAPITAL**

1 relative volume of use of the academy by such agencies or entities.
2 The surcharge imposed must be sufficient to recover the requisite
3 portion of the academy expansion costs within ten years of the
4 effective date of this subsection.

5 **Sec. 302.** 2007 c 518 s 302 (uncodified) is amended to read as
6 follows:

7 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

8 Rural Arterial Trust Account--State Appropriation	\$64,000,000
9 Motor Vehicle Account--State Appropriation	((\$2,368,000))
10	<u>\$2,370,000</u>
11 County Arterial Preservation Account--State	
12 Appropriation	((\$32,861,000))
13	<u>\$32,641,000</u>
14 TOTAL APPROPRIATION	((\$99,229,000))
15	<u>\$99,011,000</u>

16 The appropriations in this section are subject to the following
17 conditions and limitations:

18 (1) ((~~\$2,069,000~~)) \$2,370,000 of the motor vehicle account--state
19 appropriation may be used for county ((ferries. The board shall review
20 the requests for county ferry funding in consideration with other
21 projects funded from the board. If the board determines these projects
22 are a priority over the projects in the rural arterial and county
23 arterial preservation grant programs, then they may provide funding for
24 these requests)) ferry projects as set forth in RCW 47.56.725(4).

25 (2) The appropriations contained in this section include funding to
26 counties to assist them in efforts to recover from winter storm and
27 flood damage, by providing capitalization advances and local match for
28 federal emergency funding as determined by the county road
29 administration board. The county road administration board shall
30 specifically identify any such selected projects and shall include
31 information concerning them in its next annual report to the
32 legislature.

33 **Sec. 303.** 2007 c 518 s 303 (uncodified) is amended to read as
34 follows:

35 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**
36 Small City Pavement and Sidewalk Account--State

1	Appropriation	((\$4,500,000))
2		<u>\$5,900,000</u>
3	Urban Arterial Trust Account--State Appropriation . .	((\$129,600,000))
4		<u>\$128,200,000</u>
5	Transportation Improvement Account--State	
6	Appropriation	((\$90,643,000))
7		<u>\$87,143,000</u>
8	TOTAL APPROPRIATION	((\$224,743,000))
9		<u>\$221,243,000</u>

10 The appropriations in this section are subject to the following
11 conditions and limitations:

12 (1) The transportation improvement account--state appropriation
13 includes up to \$7,143,000 in proceeds from the sale of bonds authorized
14 in RCW 47.26.500.

15 (2) The urban arterial trust account--state appropriation includes
16 up to \$15,000,000 in proceeds from the sale of bonds authorized in
17 Substitute House Bill No. 2394. If Substitute House Bill No. 2394 is
18 not enacted by June 30, 2007, the amount provided in this subsection
19 shall lapse.

20 NEW SECTION. **Sec. 304.** A new section is added to 2007 c 518
21 (uncodified) to read as follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION.** The nickel and transportation
23 partnership revenue packages were created in 2003 and 2005 to finance
24 transportation construction over a sixteen year period. Since the
25 adoption of the 2003 and 2005 transportation project lists, significant
26 cost increases have resulted from extraordinary inflation. At the same
27 time, motor vehicle fuel prices have risen dramatically, and state and
28 federal gas tax revenues dedicated to paying for these programs are
29 forecasted to decrease over the sixteen year time period. Additional
30 cost increases and eroding revenues will be difficult, if not
31 impossible, to accommodate in the sixteen year financial plan.

32 As part of its budget submittal for the 2009-2011 biennium, the
33 department of transportation shall prepare information regarding the
34 nickel and transportation partnership funded projects for consideration
35 by the office of financial management and the legislative
36 transportation committees that:

- 1 (1) Compares the original project cost estimates approved in the
- 2 2003 and 2005 project list to the completed cost of the project, or the
- 3 most recent legislatively approved budget and total project costs for
- 4 projects not yet completed;
- 5 (2) Identifies highway projects that may be reduced in scope and
- 6 still achieve a functional benefit;
- 7 (3) Identifies highway projects that have experienced scope
- 8 increases and that can be reduced in scope;
- 9 (4) Identifies highway projects that have lost significant local or
- 10 regional contributions which were essential to completing the project;
- 11 and
- 12 (5) Identifies contingency amounts allocated to projects.

13 **Sec. 305.** 2007 c 518 s 304 (uncodified) is amended to read as
 14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D (DEPARTMENT OF**
 16 **TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

17 Motor Vehicle Account--State Appropriation	((\$6,202,000))
18	<u>\$7,157,000</u>

19 The appropriation in this section is subject to the following
 20 conditions and limitations:

- 21 (1) \$584,000 of the motor vehicle account--state appropriation is
- 22 for statewide administration.
- 23 (2) ((~~\$750,000~~)) \$803,000 of the motor vehicle account--state
- 24 appropriation is for regional minor projects.
- 25 (3) \$568,000 of the motor vehicle account--state appropriation is
- 26 for the Olympic region headquarters property payments.
- 27 (4) By September 1, 2007, the department shall submit to the
- 28 transportation committees of the legislature predesign plans, developed
- 29 using the office of financial management's predesign process, for all
- 30 facility replacement projects to be proposed in the facilities 2008
- 31 budget proposal.
- 32 (5) \$1,600,000 of the motor vehicle account--state appropriation is
- 33 for site acquisition for the Tri-cities area maintenance facility.
- 34 (6) \$2,700,000 of the motor vehicle account--state appropriation is
- 35 for site acquisition for the Vancouver light industrial facility.
- 36 (7) The department shall work with the office of financial
- 37 management and staff of the transportation committees of the

1 legislature to develop a statewide inventory of all department-owned
2 surplus property that is suitable for development for department
3 facilities or that should be sold. By December 1, 2008, the department
4 shall report to the joint transportation committee on the findings of
5 this study.

6 (8) \$902,000 of the motor vehicle account--state appropriation is
7 for reimbursing the miscellaneous transportation programs account for
8 expenditures for the Olympic region headquarters complex that were
9 incurred in the 2005-07 biennium.

10 **Sec. 306.** 2007 c 518 s 305 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I**

13 Transportation Partnership Account--State	
14 Appropriation	((\$1,226,516,000))
15	<u>\$1,118,357,000</u>
16 Motor Vehicle Account--State Appropriation	((\$82,045,000))
17	<u>\$85,345,000</u>
18 Motor Vehicle Account--Federal Appropriation	((\$404,090,000))
19	<u>\$458,332,000</u>
20 Motor Vehicle Account--Private/Local	
21 Appropriation	((\$49,157,000))
22	<u>\$64,487,000</u>
23 Special Category C Account--State Appropriation	((\$29,968,000))
24	<u>\$29,125,000</u>
25 <u>Multimodal Transportation Account--Federal</u>	
26 <u>Appropriation</u>	<u>\$86,100,000</u>
27 Tacoma Narrows Toll Bridge Account--State	
28 Appropriation	((\$142,484,000))
29	<u>\$32,277,000</u>
30 Transportation 2003 Account (Nickel Account)--State	
31 Appropriation	((\$1,100,746,000))
32	<u>\$1,147,530,000</u>
33 ((Freight Congestion Relief Account--State	
34 Appropriation	(\$40,000,000))
35 <u>Freight Mobility Multimodal Account--State</u>	
36 <u>Appropriation</u>	<u>\$208,000</u>
37 TOTAL APPROPRIATION	((\$3,075,006,000))

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document (~~((2007-1))~~) 2008-1, Highway Improvement Program (I) as developed (~~((April 20, 2007))~~) February 25, 2008. However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 603 of this act.

(2) The department shall not commence construction on any part of the state route number 520 bridge replacement and HOV project until a record of decision has been reached providing reasonable assurance that project impacts will be avoided, minimized, or mitigated as much as practicable to protect against further adverse impacts on neighborhood environmental quality as a result of repairs and improvements made to the state route 520 bridge and its connecting roadways, and that any such impacts will be addressed through engineering design choices, mitigation measures, or a combination of both. The requirements of this section shall not apply to off-site pontoon construction supporting the state route number 520 bridge replacement and HOV project.

(3) Within the amounts provided in this section, (~~((\$1,991,000))~~) \$1,895,000 of the transportation partnership account--state appropriation, (~~((\$1,656,000))~~) \$2,147,000 of the motor vehicle account--federal appropriation, and (~~((\$8,343,000))~~) \$10,331,000 of the transportation 2003 account (nickel account)--state appropriation are for project 109040T as identified in the LEAP transportation document referenced in subsection (1) of this section: I-90/Two Way Transit-Transit and HOV Improvements - Stage 1. Expenditure of the funds on construction is contingent upon revising the access plan for Mercer Island traffic such that Mercer Island traffic will have access to the outer roadway high occupancy vehicle (HOV) lanes during the period of operation of such lanes following the removal of Mercer Island traffic from the center roadway and prior to conversion of the outer roadway

1 HOV lanes to high occupancy toll (HOT) lanes. Sound transit may only
2 have access to the center lanes when alternative R8A is complete.

3 (4) The Tacoma Narrows toll bridge account--state appropriation
4 includes up to (~~(\$131,016,000)~~) \$18,000,000 in proceeds from the sale
5 of bonds authorized by RCW 47.10.843.

6 (5) The funding described in this section includes (~~(\$8,095,541)~~)
7 \$36,693,000 of the transportation 2003 account (nickel account)--state
8 appropriation and (~~(\$237,241 of the motor vehicle account--~~
9 ~~private/local)~~) \$208,000 of the freight mobility multimodal account--
10 state appropriation, which are for the SR 519 project identified as
11 project number 851902A in the LEAP Transportation Document referenced
12 in subsection (1) of this section. The total project is expected to
13 cost no more than \$74,400,000 including (~~(\$11,950,000)~~) \$10,402,000 in
14 contributions from project partners.

15 (6) To promote and support community-specific noise reduction
16 solutions, the department shall:

17 (a) Prepare a draft directive that establishes how each community's
18 priorities and concerns may be identified and addressed in order to
19 allow consideration of a community's preferred methods of advanced
20 visual shielding and aesthetic screening, for the purpose of improving
21 the noise environment of major state roadway projects in locations that
22 do not meet the criteria for standard noise barriers. The intent is
23 for these provisions to be supportable by existing project budgets.
24 The directive shall also include direction on the coordination and
25 selection of visual and aesthetic options with local communities. The
26 draft directive shall be provided to the standing transportation
27 committees of the legislature by January 2008; and

28 (b) Pilot the draft directive established in (a) of this subsection
29 in two locations along major state roadways. If practicable, the
30 department should begin work on the pilot projects while the directive
31 is being developed. One pilot project shall be located in Clark county
32 on a significant capacity improvement project. The second pilot
33 project shall be located in urban King county, which shall be on a
34 corridor highway project through mixed land use areas that is nearing
35 or under construction. The department shall provide a written report
36 to the standing transportation committees of the legislature on the
37 findings of the Clark county pilot project by January 2009, and the
38 King county pilot project by January 2010. Based on results of the

1 pilot projects, the department shall update its design manual,
2 environmental procedures, or other appropriate documents to incorporate
3 the directive.

4 ~~((+8))~~ (7) If the "Green Highway" provisions of Engrossed Second
5 Substitute House Bill No. 1303 (cleaner energy) are enacted, the
6 department shall erect signs on the interstate highways included in
7 those provisions noting that these interstates have been designated
8 "Washington Green Highways."

9 ~~((+9))~~ (8) If on the I-405/I-90 to SE 8th Street Widening project
10 the department finds that there is an alternative investment to
11 preserve reliable rail accessibility to major manufacturing sites
12 within the I-405 corridor that are less expensive than replacing the
13 Wilburton Tunnel, the department may enter into the necessary
14 agreements to implement that alternative provided that costs remain
15 within the approved project budget.

16 ~~((+11))~~ (9) The department shall apply for surface transportation
17 program (STP) enhancement funds to be expended in lieu of or in
18 addition to state funds for eligible costs of projects in Programs I
19 and P, including, but not limited to, the SR 518, SR 519, SR 520, and
20 Alaskan Way Viaduct projects.

21 ~~((+12))~~ (10) \$250,000 of the motor vehicle account--state
22 appropriation ~~((is))~~ and \$213,000 of the motor vehicle account--federal
23 appropriation are provided solely for an inland pacific hub study to
24 develop an inland corridor for the movement of freight and goods to and
25 through eastern Washington; and \$500,000 of the motor vehicle account--
26 state appropriation is provided solely for the SR3/SR16 corridor study
27 to plan and prioritize state and local improvements needed over the
28 next 10-20 years to support safety, capacity development, and economic
29 development within the corridor.

30 ~~((+13))~~ (11) The department shall, on a quarterly basis beginning
31 July 1, 2007, provide to the office of financial management and the
32 legislature reports providing the status on each active project funded
33 in part or whole by the transportation 2003 account (nickel account) or
34 the transportation partnership account. Funding provided at a
35 programmatic level for transportation partnership account and
36 transportation 2003 account (nickel account) projects relating to
37 bridge rail, guard rail, fish passage barrier removal, and roadside
38 safety projects should be reported on a programmatic basis. Projects

1 within this programmatic level funding should be completed on a
2 priority basis and scoped to be completed within the current
3 programmatic budget. Other projects may be reported on a programmatic
4 basis. The department shall work with the office of financial
5 management and the transportation committees of the legislature to
6 agree on report formatting and elements. Elements shall include, but
7 not be limited to, project scope, schedule, and costs. The department
8 shall also provide the information required under this subsection on a
9 quarterly basis via the transportation executive information systems
10 (TEIS).

11 ~~((14))~~ (12) The department shall apply for the competitive
12 portion of federal transit administration funds for eligible transit-
13 related costs of the SR 520 bridge replacement and HOV project. The
14 federal funds described in this subsection shall not include those
15 federal transit administration funds distributed by formula.

16 ~~((15))~~ (13) Funding provided by this act for the Alaskan Way
17 Viaduct project shall not be spent for preliminary engineering, design,
18 right-of-way acquisition, or construction on the project if completion
19 of the project would more likely than not reduce the capacity of the
20 facility. Capacity shall be measured by including the consideration of
21 the efficient movement of people and goods on the facility.

22 ~~((16))~~ (14) The governor shall convene a collaborative process
23 involving key leaders to determine the final project design for the
24 Alaskan Way Viaduct.

25 (a) The process shall be guided by the following common principles:
26 Public safety must be maintained; the final project shall meet both
27 capacity and mobility needs; and taxpayer dollars must be spent
28 responsibly.

29 (b) The state's project expenditures shall not exceed
30 \$2,800,000,000.

31 (c) A final design decision shall be made by December 31, 2008.

32 ~~((17))~~ (15) During the 2007-09 biennium, the department shall
33 proceed with a series of projects on the Alaskan Way Viaduct that are
34 common to any design alternative. Those projects include relocation of
35 two electrical transmission lines, Battery Street tunnel upgrades,
36 seismic upgrades from Lenora to the Battery Street tunnel, viaduct
37 removal from Holgate to King Street, and development of transit
38 enhancements and other improvements to mitigate congestion during

1 construction. However, the department shall not be responsible for
2 funding any cost increases on any early action projects for which it is
3 not the lead agency, and funds shall not be expended by the department
4 on the early action item project six - transit enhancements and other
5 capital improvements until the following conditions have been met:

6 (a) The city of Seattle signs an agreement with the department
7 waiving construction permit fees and lost parking meter revenue that
8 will likely occur during construction of the Alaskan Way viaduct
9 replacement projects; and

10 (b) The city of Seattle and the department determine the
11 appropriate cost allocation for public utilities removal and
12 replacement on the Alaskan Way viaduct replacement project, and report
13 to the joint transportation committee by September 30, 2008, on a
14 proposed cost sharing allocation.

15 ~~((18) The entire freight congestion relief account state~~
16 ~~appropriation is contingent upon the enactment during the 2007-2009~~
17 ~~fiscal biennium of a bill, resulting from the study established in~~
18 ~~Substitute Senate Bill No. 5207, that makes available funding to~~
19 ~~support project expenditures funded from the freight congestion relief~~
20 ~~account created in Substitute Senate Bill No. 5207. If such a funding~~
21 ~~bill is not enacted by June 30, 2009, the entire freight congestion~~
22 ~~relief account state appropriation shall lapse.~~

23 ~~(19))~~ (16) The transportation 2003 account (nickel account)--state
24 appropriation includes up to ~~(((\$874,610,000))~~ \$817,264,000 in proceeds
25 from the sale of bonds authorized by RCW 47.10.861.

26 ~~((20))~~ (17) The transportation partnership account--state
27 appropriation includes up to ~~(((\$900,000,000))~~ \$722,170,000 in proceeds
28 from the sale of bonds authorized in RCW 47.10.873.

29 ~~((21))~~ (18) The special category C account--state appropriation
30 includes up to ~~(((\$22,080,000))~~ \$22,517,000 in proceeds from the sale of
31 bonds authorized in Substitute House Bill No. 2394. If Substitute
32 House Bill No. 2394 is not enacted by June 30, 2007, the amount
33 provided in this subsection shall lapse.

34 ~~((22))~~ (19) \$4,500,000 of the motor vehicle account--federal
35 appropriation is provided solely for cost increases on the SR
36 304/Bremerton tunnel project.

37 ~~((23) \$3,000,000))~~ (20) \$2,071,000 of the motor vehicle account--

1 (~~(state)~~) federal appropriation is provided solely for initial design
2 and right of way work on a new southbound SR 509 to eastbound SR 518
3 freeway-to-freeway elevated ramp.

4 (~~((+24))~~) (21) \$500,000 of the motor vehicle account--federal
5 appropriation to the SR 543/I-5 to Canadian border project is provided
6 solely for retaining wall facia improvements.

7 (~~((+25) \$1,400,000)~~) (22) \$950,000 of the motor vehicle account--
8 federal appropriation (~~((is))~~) and \$24,000 of the motor vehicle
9 account--state appropriation are provided solely for the Westview
10 school noise wall.

11 (~~((+26))~~) (23) \$1,600,000 of the motor vehicle account--(~~(federal)~~)
12 state appropriation is provided solely for two noise walls on SR 161 in
13 King county.

14 (~~((+27))~~) (24) (~~((\$900,000))~~) \$20,000 of the motor vehicle account--
15 state appropriation and (~~((\$100,000))~~) \$280,000 of the motor vehicle
16 account--federal appropriation are provided solely for interchange
17 design and planning work on US 12 at A street and tank farm road.

18 (25) The funding described in this section includes \$19,939,000 of
19 the transportation partnership account--state appropriation, \$29,000 of
20 the motor vehicle account--state appropriation, \$308,000 of the motor
21 vehicle account--private/local appropriation, and \$17,900,000 of the
22 motor vehicle account--federal appropriation for the I-5/Columbia river
23 crossing/Vancouver project. The funding described in this subsection
24 includes up to \$15,000,000 awarded to Washington and Oregon jointly
25 through the U.S. department of transportation corridors of the future
26 program in the 2007 federal highway authority discretionary fund
27 allocations.

28 (26) The department shall study any outstanding issues, including
29 financial issues that may apply to the I-5/Columbia river
30 crossing/Vancouver project. The department's efforts must include an
31 analysis of current bi-state efforts in planning, coordination, and
32 funding for the project; opportunities for the joining of state and
33 local government agencies and the private sector in a strong
34 partnership that contributes to the completion of the project; and
35 opportunities to work with the congressional delegations of Oregon and
36 Washington to provide federal funding and other assistance that will
37 advance this project of national and regional significance.

1 conditions and limitations set forth in subsections (a) and (b) of this
2 subsection.

3 (a) \$2,000,000 of the transportation partnership account--state
4 appropriation is provided solely for the benefit of the Lower Elwha
5 Klallam Tribe to be disbursed by the department in accordance with
6 terms and conditions of the settlement agreement.

7 (b) (~~(\$3,513,000)~~) \$3,308,000 of the transportation partnership
8 account--state appropriation is provided solely for the department's
9 remediation work on the graving dock property in accordance with the
10 terms and conditions of the settlement agreement.

11 (4) The department shall apply for surface transportation program
12 (STP) enhancement funds to be expended in lieu of or in addition to
13 state funds for eligible costs of projects in Programs I and P,
14 including, but not limited to, the SR 518, SR 519, SR 520, and Alaskan
15 Way Viaduct projects.

16 (5) The department shall, on a quarterly basis beginning July 1,
17 2007, provide to the office of financial management and the legislature
18 reports providing the status on each active project funded in part or
19 whole by the transportation 2003 account (nickel account) or the
20 transportation partnership account. Funding provided at a programmatic
21 level for transportation partnership account projects relating to
22 seismic bridges should be reported on a programmatic basis. Projects
23 within this programmatic level funding should be completed on a
24 priority basis and scoped to be completed within the current
25 programmatic budget. Other projects may be reported on a programmatic
26 basis. The department shall work with the office of financial
27 management and the transportation committees of the legislature to
28 agree on report formatting and elements. Elements shall include, but
29 not be limited to, project scope, schedule, and costs. The department
30 shall also provide the information required under this subsection on a
31 quarterly basis via the transportation executive information systems
32 (TEIS).

33 (6) The department of transportation shall continue to implement
34 the lowest life cycle cost planning approach to pavement management
35 throughout the state to encourage the most effective and efficient use
36 of pavement preservation funds. Emphasis should be placed on
37 increasing the number of roads addressed on time and reducing the
38 number of roads past due.

1 (7) (~~(\$2,604,501)~~) \$13,257,000 of the motor vehicle account--
2 federal appropriation and (~~(\$3,000,000)~~) \$5,000,000 of the motor
3 vehicle account--state appropriation are for expenditures on damaged
4 state roads due to flooding, mudslides, rock fall, or other unforeseen
5 events.

6 (8) (~~(\$9,665)~~) \$188,000 of the motor vehicle account--state
7 appropriation, (~~(\$12,652,812)~~) \$28,749,000 of the motor vehicle
8 account--federal appropriation, and (~~(\$138,174,581)~~) \$105,653,000 of
9 the transportation partnership account--state appropriation are
10 provided solely for the Hood Canal bridge project.

11 (9) \$12,500,000 of the Puyallup tribal settlement account--state
12 appropriation is provided solely for mitigation costs associated with
13 the Murray Morgan/11th Street Bridge demolition. The department may
14 negotiate with the city of Tacoma for the purpose of transferring
15 ownership of the Murray Morgan/11th Street Bridge to the city. If the
16 city agrees to accept ownership of the bridge, the department may use
17 the Puyallup tribal settlement account appropriation and other
18 appropriated funds for bridge rehabilitation, bridge replacement,
19 bridge demolition, and related mitigation. In no event shall the
20 department's participation exceed \$27,451,000. No funds may be
21 expended unless the city of Tacoma agrees to take ownership of the
22 bridge in its entirety and provides that the payment of these funds
23 extinguishes any real or implied agreements regarding future bridge
24 expenditures.

25 **Sec. 308.** 2007 c 518 s 307 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
28 **CAPITAL**

29 Motor Vehicle Account--State Appropriation	((\$9,212,000))
	<u>\$9,462,000</u>
30 Motor Vehicle Account--Federal Appropriation	\$15,951,000
31 Motor Vehicle Account--Private/Local Appropriation	\$74,000
32 TOTAL APPROPRIATION	((\$25,237,000))
33	<u>\$25,487,000</u>
34	

35 The appropriations in this section are subject to the following
36 conditions and limitations: The motor vehicle account--state
37 appropriation includes (~~(\$8,833,000)~~) \$8,959,335 provided solely for

1 state matching funds for federally selected competitive grant or
2 congressional earmark projects. These moneys shall be placed into
3 reserve status until such time as federal funds are secured that
4 require a state match.

5 **Sec. 309.** 2007 c 518 s 308 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
8 **CONSTRUCTION--PROGRAM W**

9 Puget Sound Capital Construction Account--State

10	Appropriation	((\$139,139,000))
11		<u>\$143,155,000</u>
12	Puget Sound Capital Construction Account--Federal	
13	Appropriation	((\$66,145,000))
14		<u>\$43,979,000</u>
15	<u>Puget Sound Capital Construction Account--</u>	
16	<u>Private/Local Appropriation</u>	<u>\$2,089,000</u>
17	Multimodal Transportation Account--State	
18	Appropriation	\$4,100,000
19	Transportation 2003 Account (Nickel Account)--State	
20	Appropriation	((\$76,525,000))
21		<u>\$51,431,000</u>
22	TOTAL APPROPRIATION	((\$285,909,000))
23		<u>\$244,754,000</u>

24 The appropriations in this section are subject to the following
25 conditions and limitations:

26 (1) ((~~\$6,432,000~~)) \$36,500,000 of the Puget Sound capital
27 construction account--state appropriation is provided solely for
28 ((~~emergency capital costs~~)) project 944470A as identified in the LEAP
29 Transportation Document 2008-1, Ferries Construction Program (W) as
30 developed February 25, 2008, for the construction of three marine
31 vessels to replace the steel electric auto ferry vessels. The document
32 includes a total of \$84,500,000 for these replacement vessels.

33 (2) ((~~\$16,567,000~~)) \$22,922,823 of the Puget Sound capital
34 construction account--state appropriation ((~~and~~)), \$4,100,000 of the
35 multimodal transportation account--state appropriation, \$5,410,000 of
36 the transportation 2003 account (nickel account)--state appropriation,
37 \$4,490,000 of the Puget Sound capital construction account--federal

1 appropriation, and \$2,089,000 of the Puget Sound capital construction
2 account--private/local appropriation are provided solely for the
3 terminal projects listed:

4 (a) Anacortes ferry terminal - utilities work; right-of-way
5 purchase for a holding area during construction; and completion of
6 design and permitting on the terminal building, pick-up and drop-off
7 sites, ~~((and))~~ pedestrian and bicycle facilities, and paving;

8 (b) Bainbridge Island ferry terminal - environmental planning and
9 a traffic signalization project in the vicinity of SR 305 Harborview
10 drive;

11 (c) Bremerton ferry terminal - overhead loading control system and
12 moving the terminal agent's office;

13 (d) Clinton ferry terminal - septic system replacement;

14 (e) Edmonds ferry terminal - right-of-way acquisition costs
15 ~~((and))~~, federal match requirements, and removal of Unocal Pier;

16 (f) Friday Harbor ferry terminal - parking resurfacing;

17 (g) Keystone and Port Townsend ferry terminals - route
18 environmental planning;

19 (h) Kingston ferry terminal - transfer span retrofit and overhead
20 vehicle holding control system modifications;

21 (i) Mukilteo ferry terminal - right-of-way acquisition,
22 archaeological studies, ~~((and))~~ environmental planning, and additional
23 vehicle holding;

24 (j) Orcas ferry terminal - dolphin replacement;

25 (k) Port Townsend ferry terminal - wingwall replacement, interim
26 holding, tie-up slip, and initial reservation system;

27 ~~((+k))~~ (l) Seattle ferry terminal - environmental planning,
28 coordination with local jurisdictions, ((and)) coordination with
29 highway projects, and contractor payment for automated re-entry gates;
30 ~~((and~~

31 ~~(+l))~~ (m) Southworth ferry terminal - federal grant to conduct
32 preliminary studies and planning for a 2nd operating slip; and

33 (n) Vashon Island and Seattle ferry terminals - modify the
34 passenger-only facilities.

35 ~~((4) \$76,525,000))~~ (3) \$46,020,666 of the transportation 2003
36 account (nickel account)--state appropriation and ~~((50,985,000))~~
37 \$3,750,000 of the Puget Sound capital construction account--~~((state))~~

1 federal appropriation are provided solely for the procurement of
2 (~~four~~) up to three 144-vehicle auto-passenger ferry vessels.

3 (~~(+5)~~) (4) \$18,716,000 of the Puget Sound capital construction
4 account--state appropriation is provided solely for the Eagle Harbor
5 maintenance facility preservation project. These funds may not be used
6 for relocating any warehouses not currently on the Eagle Harbor site.

7 (~~(+6)~~) (5) The department shall research an asset management
8 system to improve Washington state ferries' management of capital
9 assets and the department's ability to estimate future preservation
10 needs. The department shall report its findings regarding a new asset
11 management system to the governor and the transportation committees of
12 the legislature no later than January 15, 2008.

13 (~~(+7)~~) (6) The department shall sell the M.V. Chinook and M.V.
14 Snohomish passenger-only fast ferries as soon as practicable and
15 deposit the proceeds of the sales into the passenger ferry account
16 created in RCW 47.60.645. Once the department ceases to provide
17 passenger-only ferry service, the department shall sell the M.V. Kalama
18 and M.V. Skagit passenger-only ferries and deposit the proceeds of the
19 sales into the passenger ferry account created in RCW 47.60.645.

20 (~~(+8)~~) (7) The department shall, on a quarterly basis beginning
21 July 1, 2007, provide to the office of financial management and the
22 legislature reports providing the status on each project listed in this
23 section and in the project lists submitted pursuant to this act and on
24 any additional projects for which the department has expended funds
25 during the 2007-09 fiscal biennium. Elements shall include, but not be
26 limited to, project scope, schedule, and costs. The department shall
27 also provide the information required under this subsection via the
28 transportation executive information systems (TEIS).

29 (8) The department of transportation is authorized to sell up to
30 \$90,000,000 in bonds authorized by RCW 47.10.843 for vessel and
31 terminal acquisition, major and minor improvements, and long lead-time
32 materials acquisition for the Washington state ferries.

33 (9) The department shall review the costs and benefits of continued
34 use of the primavera scheduling system in the Washington state ferries
35 marine division and include that review with its 2009-2011 budget
36 submittal.

37 (10) The department shall review staffing in its capital
38 engineering divisions to ensure core competency in, and a focus on,

1 terminal and vessel preservation, with staffing sufficient to implement
2 the preservation program in the capital plan. The department shall not
3 fill any current or future vacancies in the capital program until the
4 completion of the capital plan.

5 (11) The department shall submit a plan for the disposal or sale of
6 the four steel electric auto-ferry vessels to the joint transportation
7 committee by July 1, 2008.

8 **Sec. 310.** 2007 c 518 s 309 (uncodified) is amended to read as
9 follows:

10 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL**

11	Essential Rail Assistance Account--State Appropriation . . .	\$500,000
12	(Freight Congestion Relief Account--State	
13	Appropriation	\$25,000,000)
14	Transportation Infrastructure Account--State	
15	Appropriation	((\$2,500,000))
16		<u>\$1,713,000</u>
17	<u>Transportation Infrastructure Account--Federal</u>	
18	<u>Appropriation</u>	<u>\$787,000</u>
19	Multimodal Transportation Account--State	
20	Appropriation	((\$154,637,000))
21		<u>\$165,492,000</u>
22	Multimodal Transportation Account--Federal	
23	Appropriation	((\$30,450,000))
24		<u>\$33,906,000</u>
25	Multimodal Transportation Account--Private/Local	
26	Appropriation	((\$7,894,000))
27		<u>\$2,659,000</u>
28	TOTAL APPROPRIATION	((\$220,981,000))
29		<u>\$205,057,000</u>

30 The appropriations in this section are subject to the following
31 conditions and limitations:

32 (1)(a) Except as provided otherwise in (~~subsection (8) of~~) this
33 section, the entire appropriations in this section are provided solely
34 for the projects and activities as listed by fund, project, and amount
35 in LEAP Transportation Document ((~~2007-1~~)) 2008-1, Rail Capital Program
36 (Y) as developed ((~~April 20, 2007~~)) February 25, 2008. However,

1 limited transfers of specific line-item project appropriations may
2 occur between projects for those amounts listed subject to the
3 conditions and limitations in section 603 of this act.

4 (b) Within the amounts provided in this section, (~~(\$2,500,000)~~)
5 \$1,500,000 of the transportation infrastructure account--state
6 appropriation (~~(is)~~) and \$787,000 of the transportation infrastructure
7 account--federal appropriation are for low-interest loans for rail
8 capital projects through the freight rail investment bank program. The
9 department shall issue a call for projects based upon the legislative
10 priorities specified in subsection (7)(a) of this section. Application
11 must be received by the department by (~~November 1, 2007~~) October 1,
12 2008. By (~~December 1, 2007~~) November 1, 2008, the department shall
13 submit a prioritized list of recommended projects to the office of
14 financial management and the transportation committees of the
15 legislature. The department shall award low-interest loans to the port
16 of Moses Lake in the amount of \$213,000, and based upon the prioritized
17 list of rail capital projects most recently submitted to the
18 legislature pursuant to this subsection, as follows: Port of Benton
19 County (\$250,000); Port of Everett (\$250,000); Central Terminals, LLC
20 (\$250,000); Tacoma Rail--Maintenance Facility (\$250,000); NW Container
21 Service (\$250,000); Port of Chehalis (\$250,000); Ballard Terminal
22 Railroad (\$250,000); Eastern Washington Gateway Railroad (\$36,875);
23 Spokane County (\$250,000); Tacoma Rail--Locomotive Idling (\$250,000).

24 (c) Within the amounts provided in this section, (~~(\$3,335,000)~~)
25 \$2,561,000 of the multimodal transportation account--state
26 appropriation is for statewide - emergent freight rail assistance
27 projects. However, the department shall perform a cost/benefit
28 analysis of the projects according to the legislative priorities
29 specified in subsection (7)(a) of this section, and shall give priority
30 to the following projects: Rail - Tacoma rail yard switching upgrades
31 (\$500,000); Rail - Port of Ephrata spur rehabilitation (\$127,000); Rail
32 - Lewis and Clark rail improvements (\$1,100,000); Rail - Port of Grays
33 Harbor rail access improvements (\$543,000); and Rail - Port of Longview
34 rail loop construction (\$291,000)(~~(; and Rail - Port of Chehalis~~
35 ~~(\$774,000))~~). If the relative cost of any of the six projects
36 identified in this subsection (1)(c) is not substantially less than the
37 public benefits to be derived from the project, then the department
38 shall not assign the funds to the project, and instead shall use those

1 funds toward those projects identified by the department in the
2 attachments to the "Washington State Department of Transportation
3 FREIGHT RAIL ASSISTANCE FUNDING PROGRAM: 2007-2009 Prioritized Project
4 List and Program Update" dated December 2006 for which the proportion
5 of public benefits to be gained compared to the cost of the project is
6 greatest.

7 ~~(d) ((Within the amounts provided in this section, \$25,000,000 of
8 the freight congestion relief account state appropriation is for
9 modifications to the Stampede Pass rail tunnel to facilitate the
10 movement of double stacked rail cars. The department shall quantify
11 and report to the legislature by December 1, 2007, the volume of
12 freight traffic that would likely be shipped by rail rather than trucks
13 if the Stampede Pass rail tunnel were modified to accommodate double
14 stacked rail cars.~~

15 ~~(e))~~ Within the amounts provided in this section, ~~(((\$200,000))~~
16 \$339,000 of the multimodal transportation account--state appropriation
17 is for rescoping and completion of a programmatic EIS for the Kelso to
18 Martin's Bluff - 3rd Mainline and Storage Tracks project. The rescoped
19 project may include funds that are committed to the project by local or
20 private funding partners. However, the rescoped project must be
21 capable of being completed with not more than \$49,470,000 in future
22 state funding, inclusive of inflation costs. Subject to this funding
23 constraint, the rescoped project must maximize capacity improvements
24 along the rail mainline.

25 ~~((+f))~~ (e) Within the amounts provided in this section, \$3,600,000
26 of the multimodal transportation account--state appropriation is for
27 work items on the Palouse River and Coulee City Railroad lines.

28 (2) The multimodal transportation account--state appropriation
29 includes up to ~~(((\$137,620,000))~~ \$144,500,000 in proceeds from the sale
30 of bonds authorized by RCW 47.10.867.

31 (3) The department is directed to seek the use of unprogrammed
32 federal rail crossing funds to be expended in lieu of or in addition to
33 state funds for eligible costs of projects in Program Y, including, but
34 not limited to the "Tacoma -- bypass of Pt. Defiance" project.

35 (4) If new federal funding for freight or passenger rail is
36 received, the department shall consult with the transportation
37 committees of the legislature and the office of financial management
38 prior to spending the funds on existing or additional projects.

1 (5) The department shall sell any ancillary property, acquired when
2 the state purchased the right-of-ways to the PCC rail line system, to
3 a lessee of the ancillary property who is willing to pay fair market
4 value for the property. The department shall deposit the proceeds from
5 the sale of ancillary property into the transportation infrastructure
6 account.

7 ~~((The entire freight congestion relief account state
8 appropriation is contingent upon the enactment during the 2007-2009
9 fiscal biennium of a bill, resulting from the study established in
10 Substitute Senate Bill No. 5207, that makes available funding to
11 support project expenditures funded from the freight congestion relief
12 account created in Substitute Senate Bill No. 5207. If such a funding
13 bill is not enacted by June 30, 2009, the entire freight congestion
14 relief account state appropriation shall lapse.~~

15 ~~(7))~~(a) The department shall develop and implement the
16 benefit/impact evaluation methodology recommended in the statewide rail
17 capacity and needs study finalized in December 2006. The
18 benefit/impact evaluation methodology shall be developed using the
19 following priorities, in order of relative importance:

20 (i) Economic, safety, or environmental advantages of freight
21 movement by rail compared to alternative modes;

22 (ii) Self-sustaining economic development that creates family-wage
23 jobs;

24 (iii) Preservation of transportation corridors that would otherwise
25 be lost;

26 (iv) Increased access to efficient and cost-effective transport to
27 market for Washington's agricultural and industrial products;

28 (v) Better integration and cooperation within the regional,
29 national, and international systems of freight distribution; and

30 (vi) Mitigation of impacts of increased rail traffic on
31 communities.

32 (b) The department shall convene a work group to collaborate on the
33 development of the benefit/impact analysis method to be used in the
34 evaluation. The work group must include, at a minimum, the freight
35 mobility strategic investment board, the department of agriculture, and
36 representatives from the various users and modes of the state's rail
37 system.

1 (c) The department shall use the benefit/impact analysis and
2 priorities in (a) of this subsection when submitting requests for state
3 funding for rail projects. The department shall develop a standardized
4 format for submitting requests for state funding for rail projects that
5 includes an explanation of the analysis undertaken, and the conclusions
6 derived from the analysis.

7 (d) The department and the freight mobility strategic investment
8 board shall collaborate to submit a report to the office of financial
9 management and the transportation committees of the legislature by
10 September 1, 2008, listing proposed freight highway and rail projects.
11 The report must describe the analysis used for selecting such projects,
12 as required by this act for the department and as required by chapter
13 47.06A RCW for the board. When developing its list of proposed freight
14 highway and rail projects, the freight mobility strategic investment
15 board shall use the priorities identified in (a) of this subsection to
16 the greatest extent possible.

17 ~~((8) \$5,000,000 of the multimodal transportation account state
18 appropriation is reappropriated and provided solely for the costs of
19 acquisition of the PCC railroad associated with the memorandum of
20 understanding (MOU), which was executed between Washington state and
21 Watco. Total costs associated with the MOU shall not exceed
22 \$10,937,000.))~~

23 (7) The department shall apply at the earliest possible date for
24 grants, pursuant to the new competitive intercity rail grant program
25 announced by the federal railroad administration on February 19, 2008,
26 for any projects that may qualify for such federal grants and are
27 currently identified on the project list referenced in subsection
28 (1)(a) of this section.

29 (8) Up to \$8,500,000 of any state funding designated on the project
30 list referenced in subsection (1)(a) of this section for the
31 "Vancouver-Rail Bypass and W 39th Street Bridge" project may be used to
32 upgrade, to class 2 condition, track owned by Clark county between
33 Vancouver and Battle Ground.

34 **Sec. 311.** 2007 c 518 s 310 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**

1	CAPITAL	
2	Highway Infrastructure Account--State Appropriation	\$207,000
3	Highway Infrastructure Account--Federal	
4	Appropriation	\$1,602,000
5	Freight Mobility Investment Account--State	
6	Appropriation	((\$12,500,000))
7		<u>\$12,378,000</u>
8	(Freight Congestion Relief Account--State	
9	 Appropriation	\$46,720,000)
10	Transportation Partnership Account--State	
11	Appropriation	((\$2,906,000))
12		<u>\$3,906,000</u>
13	Motor Vehicle Account--State Appropriation	((\$9,854,000))
14		<u>\$12,273,000</u>
15	Motor Vehicle Account--Federal Appropriation	((\$60,150,000))
16		<u>\$62,222,000</u>
17	Freight Mobility Multimodal Account--State	
18	Appropriation	((\$12,100,000))
19		<u>\$12,750,000</u>
20	<u>Freight Mobility Multimodal Account--</u>	
21	<u> Private/Local Appropriation</u>	<u>\$3,755,000</u>
22	Multimodal Transportation Account--Federal	
23	Appropriation	((\$3,500,000))
24		<u>\$4,180,000</u>
25	Multimodal Transportation Account--State	
26	Appropriation	((\$33,158,000))
27		<u>\$32,134,000</u>
28	Transportation 2003 Account (Nickel Account)--State	
29	Appropriation	((\$2,706,000))
30		<u>\$2,721,000</u>
31	Passenger Ferry Account--State Appropriation	\$8,500,000
32	TOTAL APPROPRIATION	((\$193,903,000))
33		<u>\$156,628,000</u>

34 The appropriations in this section are subject to the following
35 conditions and limitations:

- 36 (1) The department shall, on a quarterly basis, provide status
37 reports to the legislature on the delivery of projects as outlined in
38 the project lists incorporated in this section. For projects funded by

1 new revenue in the 2003 and 2005 transportation packages, reporting
2 elements shall include, but not be limited to, project scope, schedule,
3 and costs. Other projects may be reported on a programmatic basis.
4 The department shall also provide the information required under this
5 subsection on a quarterly basis via the transportation executive
6 information system (TEIS).

7 (2) \$8,500,000 of the passenger ferry account--state appropriation
8 is provided solely for near and long-term costs of capital improvements
9 in a business plan approved by the governor for passenger ferry
10 service.

11 (3) The department shall seek the use of unprogrammed federal rail
12 crossing funds to be expended in lieu of or in addition to state funds
13 for eligible costs of projects in local programs, program Z capital.

14 (4) The department shall apply for surface transportation program
15 (STP) enhancement funds to be expended in lieu of or in addition to
16 state funds for eligible costs of projects in local programs, program
17 Z capital.

18 (5) Federal funds may be transferred from program Z to programs I
19 and P and state funds shall be transferred from programs I and P to
20 program Z to replace those federal funds in a dollar-for-dollar match.
21 Fund transfers authorized under this subsection shall not affect
22 project prioritization status. Appropriations shall initially be
23 allotted as appropriated in this act. The department may not transfer
24 funds as authorized under this subsection without approval of the
25 office of financial management. The department shall submit a report
26 on those projects receiving fund transfers to the office of financial
27 management and the transportation committees of the legislature by
28 December 1, 2007, and December 1, 2008.

29 (6) The city of Winthrop may utilize a design-build process for the
30 Winthrop bike path project. Of the amount appropriated in this section
31 for this project, \$500,000 of the multimodal transportation account--
32 state appropriation is contingent upon the state receiving from the
33 city of Winthrop \$500,000 in federal funds awarded to the city of
34 Winthrop by its local planning organization.

35 (7) (~~(\$7,000,000)~~) \$11,591,224 of the multimodal transportation
36 account--state appropriation, (~~(\$7,000,000)~~) \$8,640,239 of the motor
37 vehicle account--federal appropriation, and \$4,000,000 of the motor
38 vehicle account--federal appropriation are provided solely for the

1 pedestrian and bicycle safety program projects and safe routes to
2 schools program projects identified in the LEAP Transportation Document
3 2007-A, pedestrian and bicycle safety program projects and safe routes
4 to schools program projects as developed April 20, 2007. Projects must
5 be allocated funding based on order of priority. The department shall
6 review all projects receiving grant awards under this program at least
7 semiannually to determine whether the projects are making satisfactory
8 progress. Any project that has been awarded funds, but does not report
9 activity on the project within one year of the grant award, shall be
10 reviewed by the department to determine whether the grant should be
11 terminated. The department shall promptly close out grants when
12 projects have been completed, and identify where unused grant funds
13 remain because actual project costs were lower than estimated in the
14 grant award.

15 (8) Up to a maximum of \$5,000,000 of the multimodal transportation
16 account--state appropriation and up to a maximum of \$2,000,000 of the
17 motor vehicle account--federal appropriation are reappropriated for the
18 pedestrian and bicycle safety program projects and safe routes to
19 schools program projects identified in the LEAP transportation document
20 2006-B, pedestrian and bicycle safety program projects and safe routes
21 to schools program projects as developed March 8, 2006. Projects must
22 be allocated funding based on order of priority. The department shall
23 review all projects receiving grant awards under this program at least
24 semiannually to determine whether the projects are making satisfactory
25 progress. Any project that has been awarded funds, but does not report
26 activity on the project within one year of the grant award, shall be
27 reviewed by the department to determine whether the grant should be
28 terminated. The department shall promptly close out grants when
29 projects have been completed, and identify where unused grant funds
30 remain because actual project costs were lower than estimated in the
31 grant award.

32 ~~(9) ((The entire freight congestion relief account state~~
33 ~~appropriation is contingent upon the enactment during the 2007-2009~~
34 ~~fiscal biennium of a bill, resulting from the study established in~~
35 ~~Substitute Senate Bill No. 5207, that makes available funding to~~
36 ~~support project expenditures funded from the freight congestion relief~~
37 ~~account created in Substitute Senate Bill No. 5207. If such a funding~~

1 ~~bill is not enacted by June 30, 2009, the entire freight congestion~~
2 ~~relief account state appropriation shall lapse.~~

3 ~~(10))~~ \$3,500,000 of the multimodal transportation account--federal
4 appropriation is provided solely for the Museum of Flight pedestrian
5 bridge safety project.

6 ~~((11))~~ (10) \$250,000 of the multimodal transportation account--
7 state appropriation is provided solely for the icicle rail station in
8 Leavenworth.

9 ~~((12))~~ (11) \$1,500,000 of the motor vehicle account--state
10 appropriation is provided solely for the Union Gap city road project.

11 ~~((13) \$350,000)~~ (12) \$250,000 of the motor vehicle account--state
12 appropriation is provided solely for the Saltwater state park bridge
13 project and off-site traffic control costs.

14 ~~((14))~~ (13) \$1,000,000 of the motor vehicle account--state
15 appropriation ~~((is))~~ and \$4,688,000 of the motor vehicle account--
16 federal appropriation are provided solely for the coal creek parkway
17 project.

18 ~~((15))~~ (14) \$250,000 of the multimodal transportation account--
19 state appropriation is provided solely for a streetcar feasibility
20 study in downtown Spokane.

21 ~~((16))~~ (15) \$500,000 of the motor vehicle account--~~((state))~~
22 federal appropriation is provided solely for ~~((the))~~ slide repairs
23 completed during 2007 and 2008 at or in the vicinity of marine view
24 drive bridge ~~((project))~~ on Marine View Drive and on Des Moines
25 Memorial Drive in Des Moines.

26 (16) \$1,100,000 of the motor vehicle account--state appropriation
27 is provided solely for local road improvements that connect to the SR
28 I-82 valley mall boulevard project (5082010). Planned funding of an
29 additional \$2,000,000 shall be made available to this project in the
30 2009-11 biennium.

31 (17) \$2,400,000 of the motor vehicle account--state appropriation
32 is provided solely for completion of the riverside avenue extension
33 project in the city of Spokane.

34 **TRANSFERS AND DISTRIBUTIONS**

35 **Sec. 401.** 2007 c 518 s 401 (uncodified) is amended to read as
36 follows:

1 FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING
2 BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND
3 DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND
4 REVENUE

5	Highway Bond Retirement Account Appropriation	((\$570,030,000))
6		<u>\$530,160,000</u>
7	Ferry Bond Retirement Account Appropriation	((\$38,059,000))
8		<u>\$37,380,000</u>
9	Transportation Improvement Board Bond Retirement	
10	Account--State Appropriation	((\$27,749,000))
11		<u>\$26,462,000</u>
12	Nondebt-Limit Reimbursable Account Appropriation	((\$19,359,000))
13		<u>\$11,194,000</u>
14	Transportation Partnership Account--State	
15	Appropriation	((\$6,694,000))
16		<u>\$4,838,000</u>
17	Motor Vehicle Account--State Appropriation	((\$986,000))
18		<u>\$1,011,000</u>
19	Transportation Improvement Account--State Appropriation	((\$68,000))
20		<u>\$59,000</u>
21	Multimodal Transportation Account--State	
22	Appropriation	((\$1,032,000))
23		<u>\$1,373,000</u>
24	Transportation 2003 Account (Nickel Account)--State	
25	Appropriation	((\$6,560,000))
26		<u>\$5,468,000</u>
27	Urban Arterial Trust Account--State Appropriation	((\$473,000))
28		<u>\$113,000</u>
29	Special Category C Account Appropriation	((\$160,000))
30		<u>\$233,000</u>
31	TOTAL APPROPRIATION	((\$671,170,000))
32		<u>\$618,291,000</u>

33 **Sec. 402.** 2007 c 518 s 402 (uncodified) is amended to read as
34 follows:

35 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
36 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**

1 ((The department of transportation is authorized to sell up to
2 \$131,500,000 in bonds authorized by RCW 47.10.843 for vessel and
3 terminal acquisition, major and minor improvements, and long lead time
4 materials acquisition for the Washington state ferries.))

5 **Sec. 404.** 2007 c 518 s 404 (uncodified) is amended to read as
6 follows:

7 **FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**

8 Motor Vehicle Account Appropriation for
9 motor vehicle fuel tax distributions to cities
10 and counties ((\$526,320,000))
11 \$501,783,827

12 **Sec. 405.** 2007 c 518 s 405 (uncodified) is amended to read as
13 follows:

14 **FOR THE STATE TREASURER--TRANSFERS**

15 Motor Vehicle Account--State
16 Appropriation: For motor vehicle fuel tax
17 refunds and statutory transfers ((\$937,181,000))
18 \$918,908,000

19 **Sec. 406.** 2007 c 518 s 406 (uncodified) is amended to read as
20 follows:

21 **FOR THE DEPARTMENT OF LICENSING--TRANSFERS**

22 Motor Vehicle Account--State
23 Appropriation: For ((motor vehicle fuel tax
24 refunds and transfers)) statutory license,
25 permit, and fee distributions to other accounts . . . ((\$346,657,000))
26 \$333,207,000

27 **Sec. 407.** 2007 c 518 s 407 (uncodified) is amended to read as
28 follows:

29 **FOR THE STATE TREASURER--ADMINISTRATIVE TRANSFERS**

30 (1) Recreational Vehicle Account--State
31 Appropriation: For transfer to the Motor Vehicle
32 Account--State ((\$3,005,000))
33 \$4,505,000

34 (2) License Plate Technology Account--State

1 Appropriation: For the Multimodal Transportation
 2 Account--State \$4,500,000
 3 (3) Motor Vehicle Account--State Appropriation:
 4 For transfer to the High-Occupancy Toll Lanes Operations--
 5 State Account \$3,000,000
 6 (4) Motor Vehicle Account--State Appropriation:
 7 For transfer to the Puget Sound Capital Construction
 8 Account--State ((~~\$20,000,000~~))
 9 \$28,000,000
 10 (5) Multimodal Transportation Account--State
 11 Appropriation: For transfer to the Puget Sound
 12 Ferry Operations Account--State ((~~\$39,000,000~~))
 13 \$66,000,000
 14 (6) Advanced Right-of-Way Revolving Account--State
 15 Appropriation: For transfer to the Motor Vehicle
 16 Account--State \$30,000,000
 17 (7) Waste Tire Removal Account--State Appropriation:
 18 For transfer to the Motor Vehicle Account--State \$5,600,000
 19 (8) Motor Vehicle Account--State Appropriation:
 20 For transfer to the Transportation Partnership
 21 Account--State ((~~\$25,000,000~~))
 22 \$18,000,000
 23 ((~~+10~~)) (9) Multimodal Transportation Account--State
 24 Appropriation: For transfer to the Transportation
 25 Infrastructure Account--State ((~~\$7,000,000~~))
 26 \$6,000,000
 27 ((~~+11~~)) (10) Highway Safety Account--State Appropriation:
 28 For transfer to the Multimodal Transportation
 29 Account--State \$9,500,000
 30 (11) Urban Arterial Trust Account--State Appropriation:
 31 For transfer to the Small City Pavement and Sidewalk
 32 Account--State \$1,400,000
 33 (12) Multimodal Transportation Account--Federal
 34 Appropriation: For transfer to the Transportation
 35 Infrastructure Account--Federal \$1,000,000
 36 The transfers identified in this section are subject to the
 37 following conditions and limitations: ((~~+a~~)) The amount transferred

1 in subsection (3) of this section may be spent only on "highway
2 purposes" as that term is construed in Article II, section 40 of the
3 Washington state Constitution.

4 **COMPENSATION**

5 **Sec. 501.** 2007 c 518 s 501 (uncodified) is amended to read as
6 follows:

7 **COMPENSATION--NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS.** The
8 appropriations for state agencies, are subject to the following
9 conditions and limitations:

10 (1)(a) The monthly employer funding rate for insurance benefit
11 premiums, public employees' benefits board administration, and the
12 uniform medical plan, shall not exceed \$707 per eligible employee for
13 fiscal year 2008. For fiscal year 2009 the monthly employer funding
14 rate shall not exceed (~~(\$732)~~) \$575 per eligible employee.

15 (b) In order to achieve the level of funding provided for health
16 benefits, the public employees' benefits board shall require any or all
17 of the following: Employee premium copayments, increases in
18 point-of-service cost sharing, the implementation of managed
19 competition, or make other changes to benefits consistent with RCW
20 41.05.065.

21 (c) The health care authority shall deposit any moneys received on
22 behalf of the uniform medical plan as a result of rebates on
23 prescription drugs, audits of hospitals, subrogation payments, or any
24 other moneys recovered as a result of prior uniform medical plan claims
25 payments, into the public employees' and retirees' insurance account to
26 be used for insurance benefits. Such receipts shall not be used for
27 administrative expenditures.

28 (2) The health care authority, subject to the approval of the
29 public employees' benefits board, shall provide subsidies for health
30 benefit premiums to eligible retired or disabled public employees and
31 school district employees who are eligible for medicare, pursuant to
32 RCW 41.05.085. From January 1, 2008, through December 31, 2008, the
33 subsidy shall be \$165.31. Starting January 1, 2009, the subsidy shall
34 be \$184.26 per month.

1 **Sec. 502.** 2007 c 518 s 502 (uncodified) is amended to read as
2 follows:

3 **COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE**
4 **BENEFITS.** The appropriations for state agencies, are subject to the
5 following conditions and limitations:

6 (1)(a) The monthly employer funding rate for insurance benefit
7 premiums, public employees' benefits board administration, and the
8 uniform medical plan, for represented employees outside the super
9 coalition under chapter 41.80 RCW, shall not exceed \$707 per eligible
10 employee for fiscal year 2008. For fiscal year 2009 the monthly
11 employer funding rate shall not exceed (~~(\$732)~~) \$575 per eligible
12 employee.

13 (b) In order to achieve the level of funding provided for health
14 benefits, the public employees' benefits board shall require any or all
15 of the following: Employee premium copayments, increases in
16 point-of-service cost sharing, the implementation of managed
17 competition, or make other changes to benefits consistent with RCW
18 41.05.065.

19 (c) The health care authority shall deposit any moneys received on
20 behalf of the uniform medical plan as a result of rebates on
21 prescription drugs, audits of hospitals, subrogation payments, or any
22 other moneys recovered as a result of prior uniform medical plan claims
23 payments, into the public employees' and retirees' insurance account to
24 be used for insurance benefits. Such receipts shall not be used for
25 administrative expenditures.

26 (2) The health care authority, subject to the approval of the
27 public employees' benefits board, shall provide subsidies for health
28 benefit premiums to eligible retired or disabled public employees and
29 school district employees who are eligible for medicare, pursuant to
30 RCW 41.05.085. From January 1, 2008, through December 31, 2008, the
31 subsidy shall be \$165.31. Starting January 1, 2009, the subsidy shall
32 be \$184.26 per month.

33 **Sec. 503.** 2007 c 518 s 503 (uncodified) is amended to read as
34 follows:

35 **COMPENSATION--REPRESENTED EMPLOYEES--SUPER COALITION.** Collective
36 bargaining agreements negotiated as part of the super coalition under
37 chapter 41.80 RCW include employer contributions to health insurance

1 premiums at 88% of the cost. Funding rates at this level are currently
2 \$707 per month for fiscal year 2008 and (~~(\$732)~~) \$575 per month for
3 fiscal year 2009. The agreements also include a one-time payment of
4 \$756 for each employee who is eligible for insurance for the month of
5 June, 2007, and is covered by a 2007-2009 collective bargaining
6 agreement pursuant to chapter 41.80 RCW, as well as continuation of the
7 salary increases that were negotiated for the twelve-month period
8 beginning July 1, 2006, and scheduled to terminate June 30, 2007.

9

MISCELLANEOUS

10 **Sec. 601.** RCW 46.68.110 and 2007 c 148 s 1 are each amended to
11 read as follows:

12 Funds credited to the incorporated cities and towns of the state as
13 set forth in RCW 46.68.090 shall be subject to deduction and
14 distribution as follows:

15 (1) One and one-half percent of such sums distributed under RCW
16 46.68.090 shall be deducted monthly as such sums are credited and set
17 aside for the use of the department of transportation for the
18 supervision of work and expenditures of such incorporated cities and
19 towns on the city and town streets thereof, including the supervision
20 and administration of federal-aid programs for which the department of
21 transportation has responsibility: PROVIDED, That any moneys so
22 retained and not expended shall be credited in the succeeding biennium
23 to the incorporated cities and towns in proportion to deductions herein
24 made;

25 (2) Thirty-three one-hundredths of one percent of such funds
26 distributed under RCW 46.68.090 shall be deducted monthly, as such
27 funds accrue, and set aside for the use of the department of
28 transportation for the purpose of funding the cities' share of the
29 costs of highway jurisdiction studies and other studies. Any funds so
30 retained and not expended shall be credited in the succeeding biennium
31 to the cities in proportion to the deductions made;

32 (3) One percent of such funds distributed under RCW 46.68.090 shall
33 be deducted monthly, as such funds accrue, to be deposited in the small
34 city pavement and sidewalk account, to implement the city hardship
35 assistance program, as provided in RCW 47.26.164. However, any moneys
36 so retained and not required to carry out the program under this

1 subsection as of July 1st of each odd-numbered year thereafter, shall
2 be retained in the account and used for maintenance, repair, and
3 resurfacing of city and town streets for cities and towns with a
4 population of less than five thousand.

5 (4) Except as provided in RCW 47.26.080, after making the
6 deductions under subsections (1) through (3) of this section and RCW
7 35.76.050, the balance remaining to the credit of incorporated cities
8 and towns shall be apportioned monthly as such funds accrue among the
9 several cities and towns within the state ratably on the basis of the
10 population last determined by the office of financial management.

11 NEW SECTION. Sec. 602. A new section is added to 2007 c 518
12 (uncodified) to read as follows:

13 In order to promote the receipt of federal enhancement funds, or
14 other applicable federal or state grant funds, the following portions
15 of highway are designated as part of the scenic and recreational
16 highway system: Beginning at the Anacortes ferry landing, the
17 Washington state ferries Anacortes/San Juan Islands route, which
18 includes stops at Lopez, Shaw, Orcas, and San Juan Islands; and the
19 roads on San Juan and Orcas Islands as described in San Juan Island
20 county council resolution no. 7, adopted February 5, 2008.

21 NEW SECTION. Sec. 603. If any provision of this act or its
22 application to any person or circumstance is held invalid, the
23 remainder of the act or the application of the provision to other
24 persons or circumstances is not affected.

25 NEW SECTION. Sec. 604. This act is necessary for the immediate
26 preservation of the public peace, health, or safety, or support of the
27 state government and its existing public institutions, and takes effect
28 immediately.

(End of bill)

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ESHB 2878 - S COMM AMD
By Committee on Transportation

ADOPTED AS AMENDED 02/27/2008

1 On page 1, line 1 of the title, after "appropriations;" strike the
2 remainder of the title and insert "amending RCW 46.68.110; amending
3 2007 c 518 ss 101, 102, 103, 104, 105, 106, 201, 202, 203, 204, 205,
4 206, 207, 208, 209, 210, 212, 213, 214, 215, 216, 217, 218, 219, 220,
5 221, 222, 223, 224, 225, 226, 227, 301, 302, 303, 304, 305, 306, 307,
6 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 501, 502, and 503
7 (uncodified); adding new sections to 2007 c 518 (uncodified); making
8 appropriations and authorizing capital improvements; and declaring an
9 emergency."

--- END ---